



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

साप्ताहिक
WEEKLY

सं. 12]

नई दिल्ली, मार्च 15-मार्च 21, 2009, शनिवार/फाल्गुन 24-फाल्गुन 30, 1930

No. 12]

NEW DELHI, MARCH 15-MARCH 21, 2009, SATURDAY/PHALGUNA 24-PHALGUNA 30, 1930

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 12 मार्च, 2009

का.आ. 694.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उत्तर प्रदेश राज्य सरकार, गृह (पुलिस) अनुभाग-3, लखनऊ विभाग की अधिसूचना सं 4074(1) पी/VI-पी-3-2008-15(59)पी/2008 दिनांक 16 दिसम्बर, 2008 द्वारा प्राप्त सहमति से भारतीय दंड संहिता 1860 (1860 का अधिनियम सं. 45) की धारा 489-बी, 489सी, 420 और 124-ए के अधीन पुलिस थाना सिहानी गेट, जिला-गाजियाबाद (उ. प्र.) में दर्ज आपराधिक मामला सं. 1098/08 के अधीन दंडनीय अपराध और उक्त अपराध से संबंधित अथवा संसक्त प्रयत्नों, दुष्प्रेरणों और षडयंत्रों और उसी संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किन्हीं अन्य अपराधों का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण उत्तर प्रदेश राज्य पर करती है।

[सं. 228/103/2008-एवीडी-II]

चंद्र प्रकाश, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC
GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 12th March, 2009

S.O. 694.—In exercise of the powers conferred by sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Uttar Pradesh, Home (Police) Section-3, Lucknow vide Notification No. 4074(1)P/VI-P-3-2008-15(59)P/2008 dated 16th December, 2008, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Uttar Pradesh for investigation of Case Crime No. 1098/08 under Sections 489-B, 489-C, 420 and 124-A of the Indian Penal Code, 1860 (Act No. 45 of 1860) registered at Police Station Sihani Gate, District Ghaziabad (Uttar Pradesh) and attempts, abetments and conspiracies in relation to or in connection with the offence mentioned above and any other offence or offences committed in the course of the same transaction or arising out of the same facts.

[No. 228/103/2008-AVD-II]

CHANDRA PRAKASH, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 6 मार्च, 2009

का.आ. 695.—विदेशी मुद्रा प्रबंध अधिसूचना 1999 (1999 का 42) की धारा 16 की उप-धारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा भारत के राजपत्र भाग II, खण्ड 3, उपखंड (ii) में का. आ. 535(अ) दिनांक 1 जून, 2000 को प्रकाशित भारत सरकार के वित्त मंत्रालय, राजस्व विभाग की अधिसूचना में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, क्रम सं. 6 तथा इससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :—

क्र.सं.	न्याय निर्णयन प्राधिकारियों के पदनाम	क्षेत्राधिकार
(1)	(2)	(3)
"6(i)	अहमदाबाद/बंगलौर/चण्डीगढ़/चेन्नई/दिल्ली/हैदराबाद/कोलकाता/लखनऊ/कोचि/मुम्बई क्षेत्रों के प्रवर्तन उप निदेशक	ऐसे मामले जिनमें अन्तर्ग्रस्त राशि 75 लाख रु. से अधिक न हो जो प्रवर्तन निदेशालय के ऐसे प्रवर्तन उप निदेशक के संबंधित जोनों के अन्तर्गत आते हों अथवा जैसा कि प्रवर्तन निदेशक द्वारा निर्धारित किया जाए।
(ii)	दिल्ली स्थित मुख्यालय में उप प्रवर्तन निदेशक	ऐसे मामले जिनमें अन्तर्ग्रस्त राशि 75 लाख रु. से अधिक न हो, जो निम्नलिखित क्षेत्रों के तहत आते हैं, अर्थात् :—प्रवर्तन निदेशालय के अहमदाबाद/बंगलौर/चण्डीगढ़/चेन्नई/दिल्ली/हैदराबाद/कोलकाता/लखनऊ/कोचि/मुम्बई क्षेत्रों में जैसा कि प्रवर्तन निदेशक द्वारा निर्धारित किया जाए।"

[सं. 3/2009 (फा.सं. 16/68/2008-एडी-ईडी)]

प्रमोद कुमार, अवर सचिव

टिप्पणी :— मुख्य अधिसूचना भारत के राजपत्र, असाधारण के भाग II, खण्ड 3, उपखंड (ii) में का. आ. 535(अ) के तहत, 1 जून, 2000 को प्रकाशित की गयी थी।

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 6th March, 2009

S.O. 695.—In exercise of the powers conferred by sub-section (1) of Section 16 of the Foreign Exchange Management Act, 1999 (42 of 1999), The Central

Government hereby makes the following amendments in the notification of the Government of India, Ministry of Finance, Department of Revenue published in the Gazette of India, Part II, Section 3, Sub-section (ii) vide number S.O. 535(E) dated 1st June, 2000, namely :—

In the said notification, for Sl. No. 6 and the entries relating thereto, the following Sl. No. and the entries shall be substituted, namely:—

S.No.	Designation of adjudicating authorities	Jurisdiction
(1)	(2)	(3)
"6(i)	Deputy Directors of Enforcement of Ahmedabad/Bangalore/Chandigarh/Chennai/Delhi/Hyderabad/Kolkata/Lucknow/Kochi/Mumbai Zones	Cases involving an amount not exceeding Rupees 75 lakhs falling under the respective zones of the Directorate of Enforcement of such Deputy Director of Enforcement or as may be assigned by the Director of Enforcement.
(ii)	Deputy Directors of Enforcement in the Headquarters at Delhi	Cases involving an amount not exceeding Rupees 75 lakhs falling under the following Zones namely:— Ahmedabad/Bangalore/Chandigarh/Chennai/Delhi/Hyderabad/Kolkata/Lucknow/Kochi/Mumbai of the Directorate of Enforcement as may be assigned by the Director of Enforcement."

[No. 3/2009 (F. No. 16/68/2008-ADED)]

PRAMOD KUMAR, Under Secy.

Note:— The principal notification was published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (ii) vide number S.O. 535(E), dated the 1st June, 2000.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य और परिवार कल्याण विभाग)

नई दिल्ली, 17 फरवरी, 2009

का.आ. 696.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् से

परामर्श करने के पश्चात् उक्त अधिनियम की प्रथम अनुसूची में एतद्द्वारा निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त प्रथम अनुसूची में "भारतीदासन यूनिवर्सिटी" और उससे संबंधित प्रविष्टियों के बाद "भारत यूनिवर्सिटी, चेन्नई, तमिलनाडु" जोड़ा जाएगा और "भारत यूनिवर्सिटी, चेन्नई तमिलनाडु" के सामने मान्यताप्राप्त चिकित्सा अर्हता शीर्षक [इसके बाद स्तंभ (2) के रूप में संदर्भित] के अधीन और 'पंजीकरण के लिए संक्षेपण' शीर्षक [इसके बाद स्तंभ (3) के रूप में संदर्भित] के अधीन निम्नलिखित अंतः स्थापित किया जाएगा, अर्थात्:—

(2)	(3)
कायचिकित्सा और चिकित्सा स्नातक	एम.बी.बी.एस. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह श्री बालाजी मेडिकल कालेज एंड हास्पिटल, चेन्नई, तमिलनाडु में प्रशिक्षित छात्रों के संबंध में भारत यूनिवर्सिटी, चेन्नई तमिलनाडु द्वारा फरवरी, 2008 के बाद प्रदान की गई हो)।

[सं. यू-12012/138/2002-एमई(पी-II)]
राज सिंह, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

New Delhi, the 17th February, 2009

S.O. 696.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said First Schedule after "Bharathidasan University" and entries thereto "Bharath University, Chennai, Tamil Nadu" shall be added and against "Bharath University, Chennai, Tamil Nadu" under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], and under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)] the following shall be inserted, namely:—

(2)	(3)
Bachelor of Medicine and Bachelor of Surgery	M.B.B.S. (This shall be a recognised medical qualification when granted by Bharath University, Chennai, Tamil Nadu after February 2008 in respect of students trained at Sree Balaji Medical College & Hospital, Chennai, Tamil Nadu.)

[No. U-12012/138/2002-ME (P-II)]
RAJ SINGH, Under Secy.

नई दिल्ली, 6 मार्च, 2009

का.आ. 697.—केन्द्रीय सरकार दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दंत चिकित्सा परिषद् से परामर्श करने के बाद एतद्द्वारा उक्त अधिनियम की अनुसूची के भाग I में निम्नलिखित और संशोधन करती है; अर्थात् :

2. दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग III में क्रम सं. 95 के पश्चात् स्तम्भ 1, 2 और 3 की मौजूदा प्रविष्टियों के अंतर्गत निम्नलिखित प्रविष्टियां शामिल की जाएंगी:—

"96. भावनगर 1. मौरास कॉलेज ऑफ डेंटिस्ट्री, मॉरीशियस विश्वविद्यालय, भावनगर, गुजरात

(1) दंत शल्य चिकित्सा स्नातक (यदि यह केवल पहले एवं दूसरे बैच के भारतीय छात्रों अर्थात् क्रमशः शैक्षणिक सत्र 2003-04 एवं 2004-05 के दौरान दाखिल भारतीय छात्रों को प्रदान की गई हो)

[फा. सं. वी.-12025/30/2002-डीई]

राज सिंह, अवर सचिव

New Delhi, the 6th March, 2009

S.O. 697.—In exercise of the powers conferred by clause (b) sub-section (4) of Section 10 of the Dentists Act, 1948 (16 of 1948), after consultation with the Dental Council of India, Central Government hereby makes the following further amendments in Part-III of the Schedule to the said Act, namely:—

2. Under the existing entries of column 1, 2 & 3 after serial number 95 in Part-III of the Schedule to the Dentists Act, 1948 (16 of 1948) the following entries shall be added, namely:—

"96. Bhavnagar 1. Mauras College of Dentistry, Mauritius. University, Bhavnagar, Gujarat

(i) Bachelor of Dental Surgery (If granted to Indian students of the 1st & 2nd batches i.e. the Indian students who were admitted during the academic sessions 2003-04 and 2004-05 respectively only).

[F. No. V-12025/30/2002-DE]

RAJ SINGH, Under Secy.

नई दिल्ली, 25 फरवरी, 2009

का.आ. 698.—केन्द्रीय सरकार ने भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1) के खण्ड (क) के अनुसरण में और मणिपुर सरकार से परामर्श करने के बाद डॉ. एन. जी. बिजाय सिंह, सेवानिवृत्त कुलपति, मणिपुर विश्वविद्यालय को इस अधिसूचना के जारी होने की तारीख से पांच वर्षों के लिए भारतीय आयुर्विज्ञान परिषद् के सदस्य के रूप में मनोनीत किया है।

अतः अब उक्त अधिनियम की धारा 3 की उप-धारा (1) के उपबन्ध के अनुसरण में, केन्द्र सरकार एतद्वारा भारत सरकार के तत्कालीन स्वास्थ्य मंत्रालय की दिनांक 9 जनवरी, 1960 की अधिसूचना संख्या का. आ. 138 में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में शीर्षक "धारा 3 की उप-धारा (1) के खण्ड (क) के अधीन मनोनीत" शीर्षक के अन्तर्गत क्रम संख्या 20 और उससे सम्बन्धित प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियाँ प्रतिस्थापित की जाएंगी, अर्थात् :—

"20. डॉ. एन. जी. बिजाय सिंह, सेवानिवृत्त कुलपति, मणिपुर विश्वविद्यालय, लीरेन मैन्शन, अपोजिट सुपर मार्केट, लम्फेलपट, इम्फाल-795 004	मणिपुर सरकार"
--	---------------

[सं. वी.-11013/2/2007-एमई(नीति-1)]

के. वी. एस. राव, उप सचिव

New Delhi, the 25th February, 2009

S.O. 698.—Whereas the Central Government, in pursuance of clause (a) of sub-section (1) of Section 3 of the Indian Medical Council Act, 1956 (102 of 1956) and in consultation with the Government of Manipur have nominated Dr. N.G. Bijoy Singh, Retd. Vice-Chancellor, Manipur University to be a member of the Medical Council of India for five years with effect from the date of issue of this notification.

Now, therefore, in pursuance of the provision of sub-section (1) of Section 3 of the said Act, the Central Government hereby makes the following further amendment in the Notification of the Government of India in the then Ministry of Health number S.O. 138 dated the 9th January, 1960, namely :—

In the said Notification, under the heading, "Nominated under clause (a) of sub section (1) of Section 3", for serial number 20 and the entries thereto, the following entries shall be substituted, namely :—

"20. Dr. N.G. Bijoy Singh Retd. Vice-Chancellor, Manipur University, Leiren Mansion, Opposite Super Market, Lamphelpat, Imphal-795 004	Government of Manipur"
---	---------------------------

[No. V.-11013/2/2007-ME (P-I)]

K. V. S. RAO, Dy. Secy.

नई दिल्ली, 25 फरवरी, 2009

का.आ. 699.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1)(ख) के उपबन्ध के अनुसरण में डॉ. शिव प्रसाद, एम. एस., एसोसिएट प्रोफेसर अस्थिविज्ञान, एम. एस. रमैया मेडिकल कालेज, बंगलुरु, काय चिकित्सा संकाय के सदस्य को राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बंगलुरु की सभा द्वारा इस अधिसूचना के जारी होने की तारीख से 27-03-2011 तक भारतीय आयुर्विज्ञान परिषद् के एक सदस्य के रूप में सर्व सम्मति से निर्वाचित किया गया है।

अतः, अब, उक्त अधिनियम की धारा 3 की उप-धारा (1) के उपबन्ध के अनुसरण में, केन्द्र सरकार एतद्वारा भारत सरकार के तत्कालीन स्वास्थ्य मंत्रालय की दिनांक 9 जनवरी, 1960 की अधिसूचना संख्या का. आ. 138 में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में "धारा 3 की उप-धारा (1) के खण्ड (ग) के अधीन निर्वाचित" शीर्षक के अन्तर्गत क्रम संख्या 76 के सामने निम्नलिखित प्रविष्टियाँ प्रतिस्थापित की जाएंगी, अर्थात् :—

"76. डॉ. शिव प्रसाद एम. एस. एसोसिएट प्रोफेसर, अस्थिविज्ञान, एम. एस. रमैया मेडिकल कालेज, बंगलुरु	राजीव गांधी आयुर्विज्ञान विश्वविद्यालय, बंगलुरु"
---	---

[सं. वी.-11013/2/2009-एमई(नीति-1)]

के. वी. एस. राव, उप सचिव

New Delhi, the 25th February, 2009

S.O. 699.—Whereas in pursuance of the provision of sub-section (1)(b) of Section 3 of the Indian Medical Council Act, 1956 (102 of 1956) Dr. Shiv Prasad M. S., Associate Professor of Orthopaedics, M. S. Ramaiah Medical College, Bangalore, a member of the faculty of Medicine, has been elected unanimously by the Court of the Rajiv Gandhi University of Health Sciences, Bangalore to be a member of the Medical Council of India with effect from the date of issue of this notification upto 27-03-2011.

Now, therefore, in pursuance of the provision of sub-section (1) of Section 3 of the said Act, the Central Government hereby makes the following further amendment in the Notification of the Government of India in the then Ministry of Health number S.O. 138 dated the 9th January, 1960, namely :—

In the said Notification, under the heading, "Elected under clause (b) of sub-section (1) of Section 3", against serial number 76, the following entries shall be substituted, namely :—

"76. Dr. Shiv Prasad, M. S., Associate Professor of Orthopaedics, M. S. Ramaiah Medical College, Bangalore	Rajiv Gandhi University of Health Sciences, Bangalore"
---	---

[No. V.-11013/2/2009-ME (P-I)]

K. V. S. RAO, Dy. Secy.

नई दिल्ली, 25 फरवरी, 2009

का.आ. 700.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1)(ख) के उपबन्ध के अनुसरण में डॉ. पी. एस. प्रभाकरन, कुलपति, राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बंगलुरु को राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय की सीनेट द्वारा दिनांक 28-03-2006 से भारतीय आयुर्विज्ञान परिषद् के एक सदस्य के रूप में निर्वाचित किया गया है।

डॉ. पी. एस. प्रभाकरन, कुलपति, राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बंगलुरु का 31-05-2008 को कुलपति, राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय के पद से कार्यभार मुक्त किया जाता है और 31-05-2008 को उनकी राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय के कार्याचिकित्सा संकाय की सदस्यता समाप्त हो गई है। अतः राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बंगलुरु का प्रतिनिधित्व करने वाले डॉ. पी. एस. प्रभाकरन की भारतीय आयुर्विज्ञान परिषद् की सदस्यता समाप्त हो गई है। डॉ. पी. एस. प्रभाकरन ने 31-05-2008 से परिषद् से अपने पद को त्याग दिया समझा जाएगा।

[सं. वी.-11013/2/2009-एमई(नीति-1)]

के. वी. एस. राव, उप सचिव

New Delhi, the 25th February, 2009

S.O. 700.—Whereas in pursuance of the provision of sub-section (1)(b) of Section 3 of the Indian Medical Act, 1956 (102 of 1956) Dr. P. S. Prabhakaran, Vice-Chancellor, Rajiv Gandhi University of Health Sciences, Bangalore was appointed as a member of the Medical Council of India on his election by Senate of the Rajiv Gandhi University of Health Sciences, Bangalore with effect from 28-03-2006.

Whereas Dr. P. S. Prabhakaran, Vice-Chancellor, Rajiv Gandhi University of Health Sciences, Bangalore has been relieved from the post of Vice-Chancellor, Rajiv Gandhi University of Health Sciences on 31-05-2008 and his membership on the Medical faculty of the Rajiv Gandhi University of Health Sciences, Bangalore expired on 31-05-2008, Dr. P. S. Prabhakaran has ceased to be a member of Medical Council of India representing the Rajiv Gandhi University of Health Sciences, Bangalore.

Now, therefore, in pursuance of the provision of sub-section (3) of Section 7 of the said Act, Dr. P. S. Prabhakaran shall be deemed to have vacated his seat in the Council with effect from 31-05-2008.

[No. V.-11013/2/2009-ME(P-I)]

K. V. S. RAO, Dy. Secy.

नई दिल्ली, 25 फरवरी, 2009

का.आ. 701.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1)(ख) के उपबन्ध के अनुसरण में डॉ. जी. के. ठाकुर, प्रोफेसर एवं विभागाध्यक्ष, विकिरण विज्ञान एवं अधीक्षक, एस. के. मेडिकल कालेज अस्पताल, मुजफ्फरपुर, कार्याचिकित्सा संकाय के सदस्य, बाबा साहेब भीमराव

अम्बेडकर बिहार विश्वविद्यालय, मुजफ्फरपुर को इस अधिसूचना के जारी होने की तारीख से पांच वर्षों की अवधि के लिए बाबा साहेब भीमराव अम्बेडकर बिहार विश्वविद्यालय, मुजफ्फरपुर की सभा द्वारा सर्वसम्मति से भारतीय आयुर्विज्ञान परिषद् का सदस्य निर्वाचित किया जाता है।

अतः, अब, उक्त अधिनियम की धारा 3 की उप-धारा (1) के उपबन्ध के अनुसरण में, केन्द्र सरकार एतद्वारा भारत सरकार के तत्कालीन स्वास्थ्य मंत्रालय की दिनांक 9 जनवरी, 1960 की अधिसूचना संख्या का. आ. 138 में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में शीर्षक “धारा 3 की उप-धारा (1) के खण्ड (क) के अधीन मनोनीत” शीर्षक के अन्तर्गत क्रम संख्या 22 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां प्रतिस्थापित की जाएंगी, अर्थात् :—

“22. डॉ. जी. के. ठाकुर, प्रोफेसर एवं विकिरण विज्ञान विभागाध्यक्ष एवं अधीक्षक एस. के. मेडिकल कालेज, अस्पताल, मुजफ्फरपुर	बाबा साहेब भीमराव अम्बेडकर बिहार विश्वविद्यालय, मुजफ्फरपुर”
--	---

[सं. वी.-11013/3/2009-एमई(नीति-1)]

के. वी. एस. राव, उप सचिव

New Delhi, the 25th February, 2009

S.O. 701.—Whereas in pursuance of the provision of sub-section (1)(b) of Section 3 of the Indian Medical Council Act, 1956 (102 of 1956) Dr. G. K. Thakur, Professor and Head of the Department of Radiology-cum-Superintendent, S. K. Medical College Hospital, Muzaffarpur, a member of the faculty of Medicine, Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur has been elected unanimously by the Senate of Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur to be a member of the Medical Council of India for five years with effect from the date of issue of this notification.

Now, therefore, in pursuance of the provision of Sub-section (1) of Section 3 of the said Act, the Central Government hereby makes the following further amendment in the Notification of the Government of India in the then Ministry of Health number S.O. 138 dated the 9th January, 1960, namely :—

In the said Notification, under the heading, “Elected under clause (b) of sub-section (1) of Section 3”, against serial number 22, the following entries shall be substituted, namely :—

“22. Dr. G. K. Thakur, Professor and Head of the Department of Radiology- cum-Superintendent S. K. Medical College Hospital, Muzaffarpur	Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur”
---	--

[No. V.-11013/3/2009-ME(P-I)]

K. V. S. RAO, Dy. Secy.

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

भारतीय मानक ब्यूरो

नई दिल्ली, 3 मार्च, 2009

का.आ. 702.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि अनुसूची में दिये गये मानक (कों) में संशोधन किया गया/किये गये हैं :—

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 405 (पार्ट 2) : 1992 सीसे की चद्दरें तथा पत्तियाँ—विशिष्ट भाग 2 रासायनिक के अलावा अन्य प्रयोजनों के लिए (तीसरा पुनरीक्षण)	संशोधन संख्या 2 फरवरी, 2009	28-02-2009

इन संशोधनों की प्रतियाँ भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एम.टी.डी. 9/टी-11]

डॉ. (श्रीमति) स्नेह भाटला, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

BUREAU OF INDIAN STANDARDS

New Delhi, the 3rd March, 2009

S.O. 702.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule here to annexed have been established on the date indicated against each :—

SCHEDULE

Sl. No.	No. and Year of the Indian Standard (s) amendment (s)	No. & Year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 405 (Part 2) : 1992 Lead sheets and strips—Specification Part 2 for other than chemical purposes (third revision)	Amendment No. 2 February, 2009	28 February, 2009

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MTD 9/T-11]

Dr. (Mrs.) SNEH BHATLA, Sc. 'F' & Head (Met. Engg.)

नई दिल्ली, 5 मार्च, 2009

का.आ. 703.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में एतद्वारा अधिसूचित किया जाता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं, वे रद्द कर दिए गए हैं और वापस ले लिये गये हैं :—

अनुसूची

क्रम संख्या	रद्द किये गये मानक की संख्या और वर्ष	भारत के राजपत्र भाग 2, खण्ड 3, उप-खण्ड (ii) में का.आ. संख्या और तिथि प्रकाशित	टिप्पणी
(1)	(2)	(3)	(4)
1.	आईएस 2206 (भाग 1) : 1984	2370, 24-08-63	-
2.	आईएस 2206 (भाग 2) : 1976	3822, 24-11-79	-
3.	आईएस 2206 (भाग 3) : 1989	0160, 19-01-91	-
4.	आईएस 2206 (भाग 4) : 1987	1551, 02-06-90	-
5.	आईएस 8224 : 1976	0097, 12-01-80	-
6.	आईएस 9628 : 1980	3429, 03-11-84	-

[संदर्भ : ई.टी.डी./जी-63(ए)]

प्रकाश बचानी, वैज्ञानिक 'ई' एवं प्रमुख (विद्युत तकनीकी वि.)

New Delhi, the 5th March, 2009

S.O. 703.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, it is, hereby notified that the Indian Standards, Particulars of which are mentioned in the Schedule give hereafter, have been cancelled and stand withdrawn :—

SCHEDULE

Sl. No.	No. and Year of the Indian Standards Cancelled	S. O. No. and Date published in the Gazette of India Part II, Section 3, Sub-section (ii)	Remarks
(1)	(2)	(3)	(4)
1.	IS 2206 (Part 1) : 1984	2370, 24-08-63	—
2.	IS 2206 (Part 2) : 1976	3822, 24-11-79	—
3.	IS 2206 (Part 3) : 1989	0160, 19-01-91	—
4.	IS 2206 (Part 4) : 1987	1551, 02-06-90	—
5.	IS 8224 : 1976	0097, 12-01-80	—
6.	IS 9628 : 1980	3429, 03-11-84	—

[Ref: ETD/G-63(A)]

PRAKASH BACHANI, Sc. 'E' & Head (Electrotechnical Department)

नई दिल्ली, 9 मार्च, 2009

क्रा.आ. 704.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 4 के उप-विनियम 5 के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेंसों को आगे दर्शाई तारीख से लाइसेंस स्वीकृत कर दिया गया है :-

क्रम सं.	लाइसेंस संख्या	लाइसेंसधारी का नाम एवं पता	लाइसेंस के अंतर्गत प्रक्रम संबंध एवं भारतीय मानक सहित	स्वीकृत करने की तिथि
(1)	(2)	(3)	(4)	(5)
1.	8853295	मैसर्स क्रिस्टल इंडिया इंडस्ट्रीज, खसरा नं. 35/7, 35/8, बंजारी नगर, रावामाटा, बिरगांव, रायपुर (छ. ग.)	आईएस 2347 : 2006 डोमेस्टिक प्रेशर कुकर	2-12-2008
2.	8986116	मैसर्स श्री कृष्णा फूड्स एंड बेवरेजेस, 99-ई इंडस्ट्रियल एरिया नं.-1, ए बी रोड, देवास (म. प्र.)	आईएस 14543 : 2004 पैकेज्ड ड्रिंकिंग वाटर	2-12-2008
3.	8985821	मैसर्स कल्याणी सीमेंट इंडस्ट्रीज, 7-ए, इंडस्ट्रियल इस्टेट, तिफरा, बिलासपुर, (छ.ग.)	आईएस 455 : 1989 पोर्टलैंड स्लेज सीमेंट	4-12-2008
4.	8986015	मैसर्स पशुपती प्लाइवुड इंडस्ट्रीज, खसरा नं. 22/1/2, ग्राम कुमेद, तहसील सॉवेर, सॉवेर रोड इंडस्ट्रियल एरिया, सेक्टर-एफ, इन्दौर (म. प्र.)	आईएस 2202 भाग 1 बुडन प्लस डोर शटर्स	5-12-2008
5.	8987017	मैसर्स रोवा इंडस्ट्रीज, "श्रीराम", 21-एस के शापिंग सेन्टर, नन्दा ब्रिज, नगर निगम रोड, जबलपुर (म. प्र.)	आईएस 14543 : 2004 पैकेज्ड ड्रिंकिंग वाटर	5-12-2008
6.	8988726	मैसर्स सन्मार्ग इस्पात प्रा. लिमिटेड, खसरा नं. 6/1, 6/2, 6/3, 7/1, 7/2, एंड 7/4, ग्राम : गोंडवारा, ब्लॉक धरसिवा, रायपुर (छ. ग.)	आईएस 1786 : 1985 हाय स्ट्रेंथ डिफार्म स्टील बार एंड वायर फार कांक्रिट	10-12-2008
7.	8987118	मैसर्स कृष्णा आयरन स्ट्रिप्स एंड ट्यूब्स प्रा. लिमिटेड, 813, 821/ए, उर्ला इंडस्ट्रियल एरिया, सरोरा, रायपुर (छ. ग.)	आईएस 1161 : 1998 स्टील ट्यूब्स फार स्ट्रक्चरल परपज	11-12-2008
8.	8988625	मैसर्स श्रीनाथजी कायाकल्प रेमिडीज प्रा. लिमिटेड, 98, सेक्टर ए, इंडस्ट्रियल एरिया, मंडीदीप, जिला रायसेन (म. प्र.)	आईएस 1061 : 1997 डिसइन्फेक्टेंट प्लुइड फिनाइल	12-12-2008
9.	8988827	मैसर्स गार्गी बेवरेजेस, पॉवर हाउस, शाप नं. 79, शास्त्री मार्केट, भिलाई, जिला दुर्ग, (छ.ग.)	आईएस 14543 : 2004 पैकेज्ड ड्रिंकिंग वाटर	12-12-2008
10.	8992414	मैसर्स श्री बालाजी वाटर सोल्यूशन, प्लॉट नं. 35/ए, इंडस्ट्रियल एरिया, कोरबा (छ. ग.)	आईएस 14543 : 2004 पैकेज्ड ड्रिंकिंग वाटर	22-12-2008
11.	8985316	मैसर्स दि एसोसिएटेड प्यूरिफायर कंपनी, 35, न्यू इंडस्ट्रियल एरिया, फेस 2, मंडीदीप, जिला रायसेन (म. प्र.)	आईएस 14543 : 2004 पैकेज्ड ड्रिंकिंग वाटर	23-12-2008

(1)	(2)	(3)	(4)	(5)
12.	8991614	मैसर्स मदर अर्थ प्रोड्यूस, गणेश बाग, ए बी रोड, ग्वालियर, (म. प्र.)	आईएस 14543 : 2004 पेकेज्ड ड्रिंकिंग वाटर	23-12-2008
13.	8992313	मैसर्स के एम क्राउन वेल्डिंग कंजुमेबल प्रा. लिमिटेड, इंडस्ट्रियल एरिया नं. 1, ब्लाक नं. 16ए एंड 16बी, एंड 17ए, ए बी रोड, देवास, (म. प्र.)	आईएस 814 : 2004 कक्कड इलेक्ट्रोड फार मेन्यूएल मेटल आर्क वेल्डिंग आफ कार्बन एंड मॅंगनीज स्टील	23-12-2008
14.	8995218	मैसर्स महामाया इस्पात (डिविजन आफ अभिषेक स्टील इंडस्ट्रीज प्लाट नं. 535/सी, उत्ता इंडस्ट्रियल, कॉम्प्लेक्स, रायपुर (छ. ग.)	आईएस 2062 : 2006 स्टील फार जनरल स्ट्रक्चरल परपज	31-12-2008

[सं. केन्द्रीय प्रमाणन/13 : 11]

पी. के. गम्भीर, उपमहानिदेशक (मुहर)

New Delhi, the 9th March, 2009

S.O. 704.—In pursuance of sub-regulation (5) of regulation 4 of the Bureau of Indian Standards (Certification) Regulation 1988, of the Bureau of Indian Standard, hereby notifies the grant of licences for the month of December, 2008, particulars of which are given in the following schedule :

Sl. No.	Licence No.	Name and address of the licensees	IS No. and title	Grant Date
(1)	(2)	(3)	(4)	(5)
1.	8988524	M/s. Crystal India Industries, Khasra No. 35/7, 35/8, Banjari Nagar, Rawabhata, Birgaon Raipur (C. G.)	IS 2347 : 2006 Domestic Pressure Cookers- Specification	2-12-2008
2.	8986116	M/s. Shri Krishna Foods and Beverages, 99-E, Industrial Area No. 1, A.B. Road, Dewas (M. P.)	IS 14543 : 2004 Packaged Drinking Water (other than Packaged Natural Mineral Water)—Specification	3-12-2008
3.	8985821	M/s. Kalyani Cement Industries, 7-A, Industrial Estate, Tifra Bilaspur (C. G.)	IS 455 : 1989 Specification for Portland slag cement	4-12-2008
4.	8986015	M/s. Pashupati Plywood Industries, Khasra No. 22/1/2, Village Kumed, Tehsil Sanwer, Near MR 10 Naka, Sanswer Road Industrial Area, Sector F, Indore (M. P.)	IS 2202 : Part : 1999 Specification for wooden flush door shutters (solid core type) : Part I Plywood face panels	5-12-2008
5.	8987017	M/s. Reva Industries, "Shriram", 21-S.K. Shopping Centre, Near Nanda Bridge, Nagar Nigam Road, Jabalpur (M. P.)	IS 14543 : 2004 Packaged Drinking Water (other than Packaged Natural Mineral Water)—Specification	5-12-2008
6.	8988726	M/s. Sunmarg Ispat (P) Limited, Khasra No. 6/1, 6/2, 6/3, 7/1, 7/2, and 7/4, Village Gondwara, Block Dharsiva, Raipur (C.G.)	IS 1786 : 1985 Specification for high strength deformed steel bars and wires for concrete	10-12-2008

(1)	(2)	(3)	(4)	(5)
7.	8987118	M/s. Krishna Iron Strips & Tubes, Pvt. Limited, 813, 821/A-Urla Industrial Area, Sarora, Raipur (C.G.)	IS 1161 : 1998 Steel Tubes for Structural Purposes-Specification	11-12-2008
8.	8988625	M/s. Shrinathji Kayakalp Remedies Pvt. Limited, 98-Sector A, Industrial Area, Mandideep, Distt. Raisen, (M.P.)	IS 1061 : 1997 Disinfectant Fluids, Phenolic Type Specification	12-12-2008
9.	8988827	M/s. Gargi Beverages, Power House, Shop No. 79, Shastri Market, Bhillai, Distt. Durg (C.G.)	IS 14543 : 2004 Packaged Drinking Water (other than Packaged Natural Mineral Water)—Specification	12-12-2008
10.	8992414	M/s. Shri Balaji Water Solution, Plot No. 35/A, Industrial Area Korba (C.G.)	IS 14543 : 2004 Packaged Drinking Water (other than Packaged Natural Mineral Water)—Specification	22-12-2008
11.	8985316	M/s. The Associated Purifire, Company, 35-New Industrial Area, Phase II, Mandideep, Distt. Raisen (M.P.)	IS 14543 : 2004 Packaged Drinking Water (other than Packaged Natural Mineral Water)—Specification	23-12-2008
12.	8991614	M/s. Mother Earth Produce, Ganesh Bagh, A.B. Road, Gwalior (M.P.)	IS 14543 : 2004 Packaged Drinking Water (other than Packaged Natural Mineral Water)—Specification	23-12-2008
13.	8992313	M/s. K. M. Crown Welding, Cosumable Pvt. Limited, Industrial Estate No. 1, Block No. 16A, 16B and 17A, A.B. Road, Dewas (M.P.)	IS 814 : 2004 Covered electrodes for manual metal arc welding of carbon and carbon manganese steel	23-12-2008
14.	8995218	M/s. Mahamaya Ispat (Division of Abhisekh Steel Industries), Plot No. 535/C, Urla Industrial Complex, Raipur (C.G.)	IS 2062 : 2006 Steel for General Structural Purposes-Specification	31-12-2008

[No. CMD/13 : 11]

P. K. GAMBHIR, Dy. Director General (Marks)

नई दिल्ली, 9 मार्च, 2009

का.आ. 705.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 5 के उप-विनियम 6 के अनुसार भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेंसों को आगे दर्शाई तारीख से लाइसेंस रद्द कर दिया गया है।

क्रम सं.	लाइसेंस संख्या	लाइसेंसधारी का नाम एवं पता	लाइसेंस के अंतर्गत प्रक्रम संबंध एवं भारतीय मानक सहित	लाइसेंस रद्द करने की तिथि
(1)	(2)	(3)	(4)	(5)
1.	8813081	मैसर्स भारत हेवी इलेक्ट्रिकल्स लिमिटेड, पिपलानी, भोपाल (म.प्र.)	आईएस 2148 : 2004 प्लेमप्रुफ एनक्लोजर फार इलेक्ट्रिकल्स एपरेटस	29-12-2008

[सं. केन्द्रीय प्रमाणन/ 13:13]

पी. के. गम्भीर, उपमहानिदेशक (मुहर)

New Delhi, the 9th March, 2009

S.O. 705.—In pursuance of sub-regulation (6) of regulation 5 of the Bureau of Indian Standards (Certification) Regulation, 1988, of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given have been cancelled with effect from the date indicated against each:

Sl. No.	Licence No.	Name and address of the licensees	IS No. and title	Cancelled Date
(1)	(2)	(3)	(4)	(5)
1.	8813081	M/s Bharat Heavy Electricals Ltd., Piplani Bhopal (M.P.)	IS 2148 : 2004 Flameproof enclosures for electrical apparatus.	29-12-2008

[No. CMD/13:13]

P.K. GAMBHIR, Dy. Director General (Marks)

नई दिल्ली, 12 मार्च, 2009

का.आ. 706.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के नियम 4 के उप नियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिये गए हैं:—

अनुसूची

क्रम सं.	लाइसेंस सं.	चालू तिथि	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक व संबंधित भारतीय मानक
1	2	3	4	5
जनवरी, 2009				
1.	8993315	22-12-2008	मै. गुमान ज्वैलर्स, 59, मानसरोवर कालोनी, कालवाड रोड, झोटवाडा, जयपुर 302012	1417:1999 हॉल मार्किंग ऑफ गोल्ड ज्वैलरी
2.	8991412	26-12-2008	मै. बंसाली केबल्स एण्ड कंडक्टर्स प्रा. लि., बी 816, रीको औद्योगिक एरिया, फेज II, भिवाडी 301019	7098 भाग 1:1988 क्रासलिकड पोलिइथिलिन इन्सुलेटेड पीवीसी सीथेड केबल्स
3.	8991513	26-12-2008	मै राशी केबल्स प्रा.लि., युनिट II, एफ 1159, ई, औद्योगिक एरिया, भिवाडी 301019	7098 भाग 1:1988 क्रासलिकड पोलिइथिलिन इन्सुलेटेड पीवीसी सीथेड केबल्स
4.	8991917	26-12-2008	मै. मरूधर केबल्स, एचआई 221 बी, रीको औद्योगिक एरिया, झोटवाडा विस्तार, सरना डूंगर, जयपुर	694:1990 पीवीसी इन्सुलेटेड केबल्स
5.	8992919	26-12-2008	मै. तिरुपति प्लाईवुड इण्डस्ट्रीज, ए-54, श्रीछाटूश्यामजी रीको औद्योगिक एरिया, रींगस, जिला सीकर	710:1976 मेरीन प्लाईवुड
6.	8993214	6-01-2009	मै. श्रीश्याम इण्डस्ट्रीज, 75, नगीना बाग, द्वितीय लेन, अजमेर 302001	6003:1983 इनडेन्टेड वायर फॉर प्रस्टेड कंक्रिट

1	2	3	4	5
7.	8994418	12-01-2009	मै. दिनेश इरिगेशन प्रा.लि., 86 बी II, झोटवाड़ा औद्योगिक एरिया, जयपुर	4985:2000 यूपीवीसी पाईप्स फॉर पोटेबल वाटर सप्लाईज
8.	8994923	13-01-2009	मै. कार्तिका एलोइस प्रा.लि. एफ 413 व ई 414, औद्योगिक एरिया, चोपकी, भिवाड़ी	7098 भाग 1:1988 क्रासलिकड पोलिइथिलिन इन्सुलेटेड पीवीसी सीथेड केबल्स
9.	8995117	14-01-2009	मै. यश पेट, प्लॉट नं 94 ए, पूजा हाउस, चोपासनी, जोधपुर 342009	14543:2004, पैकेज्ड ड्रिफिंग वाटर
10.	8995925	15-01-2009	मै. डिल्लस केबल्स एण्ड वायर्स प्रा.लि., जी I-1276 व 1277, फेज III, रीको औद्योगिक एरिया, सीतापुरा, जयपुर 302022	7098 भाग 1:1988 क्रासलिकड पोलिइथिलिन इन्सुलेटेड पीवीसी सीथेड केबल्स
11.	8996018	19-01-2009	मै. श्री श्याम केबल इण्डस्ट्रीज, एच I-159, सरना डूंगर औद्योगिक एरिया, झोटवाड़ा, जयपुर	694:1990 पीवीसी इन्सुलेटेड केबल्स
12.	8997121	19-01-2009	मै. दूरालाइन इंडिया प्रा.लि. प्लॉट नं एसपी 14डी, रीको औद्योगिक एरिया, नीमराना, जिला अलवर 301705	4985:2000 यूपीवीसी पाईप्स फॉर पोटेबल वाटर सप्लाईज
13.	8998123	20-01-2009	मै. दक्ष, 101, सिप्लस माल, नारायण सिंह सर्किल, प्रथम तल, टॉक रोड, जयपुर	1417:1999 हॉल मार्किंग ऑफ गोल्ड ज्वेलरी
14.	8997828	21-01-2009	मै. ओम इण्डस्ट्रीज एफ 105, प्राउण्ड फ्लोर, करतारपुरा औद्योगिक एरिया, 22 गेदाम, जयपुर	694:1990 पीवीसी इन्सुलेटेड केबल्स
15.	8997929	21-01-2009	मै. ग्लेक्सी कान केब इंडिया प्रा.लि. जी 164, 164ए, सीतापुरा औद्योगिक एरिया, जयपुर	694:1990 पीवीसी इन्सुलेटेड केबल्स
16.	8998022	21-01-2009	मै. जय किसान पाईप इण्डस्ट्रीज जी 1/78, रीको औद्योगिक एरिया, बहरोड, जिला अलवर	4984:1995 एचडीपीई पाइप्स फॉर पोटेबल वाटर सप्लाईज
17.	8998628	21-01-2009	मै. राशी केबल्स प्रा.लि., यूनिट II, एफ 1159-ई, औद्योगिक एरिया, भिवाड़ी 301 019	694:1990 पीवीसी इन्सुलेटेड केबल्स
18.	8998729	21-01-2009	मै. राशी केबल्स प्रा.लि. यूनिट II, एफ 1159 ई, औद्योगिक एरिया, भिवाड़ी-301019	1554 भाग 1: 1988 पीवीसी इन्सुलेटेड (एचडी) केबल्स
19.	8999125	21-01-2009	मै. राजस्थान ट्रांसफॉर्मर्स एण्ड स्विचगेयर्स, ए 25-26, रीको औद्योगिक एरिया, कालाडोरा, तह. चौमू, जयपुर	398 भाग 4:1994 एएएसी

(1)	(2)	(3)	(4)	(5)
20.	8999327	21-01-2009	मै. विके प्लास्ट, ठ 109, औद्योगिक एरिया, बगरू विस्तार फेज II, बगरू, जिला जयपुर	14151 भाग 1: 1999 इरिगेशन इन्क्यूपमेन्ट स्मीक्लर पाईप्स, पोलिइथिलिन पाईप्स
21.	8999226	22-01-2009	मै. एसीसी लि., लाखेरी, जिला बूंदी 323603	12269:1987 53 ग्रेड साधारण पोर्टलेण्ड सीमेन्ट
22.	8999731	22-1-2009	मै. अशोका केबल्स प्रा.लि., जी1/156, रोड नं.9, रीको औद्योगिक एरिया, बिन्दायका, जयपुर	14255:1955 एरियल बन्वड केबल्स
23.	8999832	22-1-2009	मै. मेघा केबल, जे 1075 व 1086, रीको औद्योगिक एरिया, फेज III, सीतापुरा, जयपुर 302022	694:1990 पीवीसी इन्सुलेटेड केबल्स
24.	8999933	22-1-2009	मै. अशोका केबल्स प्रा.लि., जी1/156, रोड नं.9, रीको औद्योगिक एरिया, बिन्दायका, जयपुर	694:1990 पीवीसी इन्सुलेटेड केबल्स

[सं. सीएमडी/13:11]

पी.के. गम्भीर, उपमहानिदेशक (मुहर)

New Delhi, the 12th March, 2009

S.O. 706.—In pursuance of sub-regulation (5) of regulation 4 of the Bureau of Indian Standards (Certification Regulation, 1988), the Bureau of Indian Standards, hereby notifies the grant of licence particulars of which are given in the following schedules.

SCHEDULE

Sl. No.	Licence No. (CM/L-)	Operative Date	Name and Address of the Licensee	Article/Process Covered by the licences and the relevant IS : Designation
(1)	(2)	(3)	(4)	(5)
JANUARY, 2009				
1.	8993315	22-12-2008	M/s. Guman Jewellers, (A Unit of Khandelwal Build Con Pvt. Ltd.) 59, Mansarovar Colony, Kalwar Road, Jhotwara, Jaipur-302012 Rajasthan	1417: 1999 Hallmarking of Gold. Jewellery
2.	8991412	26-12-2008	M/s. Bhansali Cables & Conductors Private Limited, B-816, RIICO Industrial Area Phase IInd, Bhiwadi - 301 019 Distt. Alwar, Rajasthan	7098 (Part 1): 1988 Crosslinked Polyethylene Insulated PVC Sheathed Cables

(1)	(2)	(3)	(4)	(5)
3.	8991513	26-12-2008	M/s. Rashi Cables Pvt. Ltd., (Unit-II) F-1159, (E), Industrial Area Bhiwadi - 301 019 Distt. Alwar Rajasthan	7098 (Part 1) : 1988 Crosslinked Polyethylene Insulated PVC Sheathed Cables
4.	8991917	26-12-2008	M/s. Manbhar Cables, HI-221B RIICO Industrial Area Jhotwara Extn., Sama Dungar Jaipur - 302012 Rajasthan	694 : 1990 PVC Insulated Cables
5.	8992919	06-01-2008	M/s. Tirupati Plywood Industries, A-54, Shri Khatushyamji RIICO Industrial Area, Reengus Sikar - 332 404 Rajasthan	710 : 1976 Marine Plywood
6.	8993214	06-01-2009	M/s. Shree Shyam Industries, 75, Nagina Bagh, II lane Ajmer - 305 001 Rajasthan	6003 : 1983 Indented Wire for Prestressed Concrete
7.	8994418	12-01-2009	M/s. Dinesh Irrigation Pvt. Ltd., 86 B II, Jhotwara Industrial Area Jaipur - 302012 Rajasthan	4985 : 2000 UPVC Pipes for Potable Water Supplies
8.	8994923	13-01-2009	M/s. Kharkia Alloys Private Limited, F - 413 & E- 414, Industrial Area Chopanki, Bhiwadi - 301 019 Distt. Alwar, Rajasthan	3975 : 1999 Mild Steel Wires, Formed Wires & Tapes for Armouring of Cables
9.	8995117	14-01-2009	M/s. Yesh Pet, Plot No. 94 A, Pooja House Chopasani, Jodhpur - 342 009 Rajasthan	14543 : 2004 Packaged Drinking Water
10.	8995925	15-01-2009	M/s. Deetux Cables & Wires Private Limited, 01-1276 & 1277, Phase-III, RIICO Industrial Area, Sitapura Jaipur - 302 022 Rajasthan	7098 (Part 1) : 1988 Crosslinked Polyethylene Insulated PVC Sheathed Cables
11.	8996018	19-01-2009	M/s. Shri Shyam Cable Industries, H-1-159, Sama Dungar Indl. Area Jhotwara Extn., Jaipur, Rajasthan	694:1990 PVC Insulated Cables
12.	8997121	19-01-2009	M/s. Duraline India Pvt.Ltd., Plot No. SP-14D RIICO Industrial Area Neemrana Distt. Alwar- 301 705 Rajasthan	4985: 2000 UPVC Pipes for Potable Water Supplies
13.	8998123	20-01-2009	M/s. Daksh, 101, City Pulse Mall, Narain Singh Circle, First Floor, Tonk Road Jaipur - 302004 Rajasthan	1417:1999 Hallmarking of Gold Jewellery
14.	8997828	21-01-2009	M/s. Om Industries F-105, Ground Floor Kartarpura Industrial Area Bais Godam, Jaipur, Rajasthan	694:1990 PVC Insulated Cables

(1)	(2)	(3)	(4)	(5)
15.	8997929	21.01.2009	M/s. Galaxy Concab (I) Pvt. Ltd. G-164, 164A, Sitapura Indl. Area Jaipur, Rajasthan	694:1990 PVC Insulated Cables
16.	8998022	21.01.2009	M/s. Jai Kisan Pipe Industries G-1/78, RIICO Industrial Area Behror, Distt. Alwar Rajasthan	4984: 1995 HDPE Pipes for Potable Water Supplies
17.	8998628	21.01.2009	M/s. Rashi Cables Pvt. Ltd. (Unit-II) F-1159, (E), Industrial Area, Bhiwadi - 301019 Distt. Alwar, Rajasthan	694: 1990 PVC Insulated Cables
18.	8998729	21.01.2009	M/s. Rashi Cables Pvt. Ltd. (Unit-II) F-1159, (E), Industrial Area Bhiwadi - 301019 Distt. Alwar, Rajasthan	1554 (Part 1): 1988 PVC Insulated (HD) Cables
19.	8999125	21.01.2009	M/s. Rajasthan Transformers & Switchgears (A unit of RTS Power Corporation Ltd.) A-25-26, RIICO Industrial Area Kaladera, Tehsil : Chomu, Jaipur, Rajasthan	398 (Part 4): 1994 AAAC
20.	8999327	21.01.2009	M/s. Veekay Plast E-109, Industrial Area Bagru Extension Phase-II Bagru, Distt. Jaipur, Rajasthan	14151 (Part 1): 1999 Irrigation Equipment - Sprinkler Pipes - Polyethylene Pipes
21.	8999226	22.01.2009	M/s. ACC Limited, Lakheri, (W. Rly) Bundi - 323 603 Rajasthan	12269: 1987 53 Grade Ordinary Portland Cement
22.	8999731	22.01.2009	M/s. Ashoka Cables Pvt. Ltd. G 1/156, Road No. 9, RIICO Industrial Area Bindayaka, Jaipur- 302012 Rajasthan	14255: 1995 Aerial Bunched Cables
23.	8999832	22.01.2009	M/s. Mega Cable J-1075 & 1086 RIICO Industrial Area, Phase-III, Sitapura Jaipur - 302 022 Rajasthan	694: 1990 PVC Insulated Cables
24.	8999933	22.01.2009	M/s. Ashoka Cables Pvt. Ltd. G-1/156, Road No. 9 RIICO Industrial Area Bindayaka, Jaipur - 302012 Rajasthan	694: 1990 PVC Insulated Cables

नई दिल्ली, 12 मार्च, 2009

का.आ. 707.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के विनियम (5) के उप-विनियम (6) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेंसों को उनके आगे दर्शाई गई तारीख से रद्द/स्थगित कर दिया गया है :—

क्रम सं.	लाइसेंस संख्या सीएम/एल	लाइसेंसधारी का नाम व पता	लाइसेंस के अंतर्गत वस्तु/प्रक्रम संबंध भारतीय मानक का शीर्षक	रद्द/स्थगित करने की तिथि
(1)	(2)	(3)	(4)	(5)
1.	7381881	एडवॉस डीजल इंजिन्ज प्रा. लि. आजी इंडस्ट्रीयल एस्टेट, भावनगर रोड, राजकोट, गुजरात-360003	आईएस 10001 : 1981 सामान्य प्रयोजनों के लिए समगति संपीड़न प्रणजवलन (डीजल)	25-7-2008
2.	7391682	श्री नीलकंठ इंडस्ट्रीज, 2, वैद्यवाड़ी, गोंडल रोड, राजकोट, गुजरात-360004	आईएस 694 : 1990 पीबीसी रोधित केबल वोल्टेज कार्यकारिता 1100 तक सम्मिलित	31-10-2007
3.	7400960	आर के बेवरेजीज, लोक विद्यालय, राजकोट हाईवे, खरारी, सुरेंद्रनगर, गुजरात	आईएस 14543 : 2004 पैकेजबन्द पेय जल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)-विशिष्ट	4-12-2007
4.	7404362	श्रीजी पोलोमरज, जी आई डी सी, प्लॉट 3, 8-अ, राष्ट्रीय राजमार्ग, वांकांनर	आईएस 4984 : 1995 पेय जल आपूर्ति, मल और औद्योगिक बहिस्त्रावों हेतु उच्च घनत्व पॉलीइथाइलीन पाइप	19-4-2006
5.	7416571	कवन बेवरेजीज, 1, पृथ्वीराज प्लॉट, बजरंग स्टील स्ट्रीट, मोरबी, सनाला रोड, मोरबी, जिला : राजकोट, गुजरात	आईएस 14543 : 2004 पैकेजबन्द पेय जल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)-विशिष्ट	5-2-2008
6.	7418373	विनायक इलैक्ट्रिकल्ज इंडस्ट्रीज, राजकोट हाईवे रोड, जलारामा पेट्रोल पंप के समीप खेराली, जिला सुरेंद्रनगर, गुजरात 363020	आईएस 371 : 1978 सीलिंग रोज	13-2-2008
7.	7422465	कावेरी पोलोमरज प्राइवेट लिमिटेड, सर्वे सं. 211, प्लॉट सं. 11, राष्ट्रीय राजमार्ग 8 बी, वेरावल शापर, तालुका कोटडा संधानी, जिला राजकोट, गुजरात 360002	आईएस 7834 (भाग 3) : 1987 जल आपूर्ति के लिए विलायक सीमेंट जोड़ सहित इंजेक्शन संचकित पीबीसी फिटिंग की विशिष्ट भाग 3-90 डिग्री एल्बो हेतु विशिष्ट अपेक्षाएं	30-6-2008
8.	7427980	अजयशंकर एवं ब्रदर्स, भारतदीप, जिन प्लॉट, धरगांधरा, जिला सुरेंद्रनगर, गुजरात 363310	आईएस 7224 : 1985 आयोडीन युक्त नमक की विशिष्ट	22-4-2008
9.	7428275	सुप्रीम सेनेटरीवेयरज, 8-अ, राष्ट्रीय राजमार्ग, दरियालाल वे ब्रिज के सामने, लखधीरपुर रोड, लालपुर, मोरबी, जिला राजकोट, गुजरात 363642	आईएस 2556 (भाग 3) : 1994 बैठकर शौचादि के लिए पात्र	24-4-2008

(1)	(2)	(3)	(4)	(5)
10.	7434775	न्यू टेस्ट मी, एस टी वर्क्स के समीप, जयनाथ वे ब्रिज गली, गोंडल रोड, राजकोट, गुजरात 360004	आईएस 14543 : 2004 पैकेजबन्द पेय जल (पैकेजबन्द प्रकृति मिनरल जल के अलावा)-विशिष्ट	28-5-2008
11.	7438076	सन हेल्थ प्रोडक्ट्स, आजी डैम के समीप, चुंगी नाका के समीप, राजकोट, गुजरात 360003	आईएस 14543 : 2004 पैकेजबन्द पेय जल (पैकेजबन्द प्रकृति मिनरल जल के अलावा)-विशिष्ट	19-6-2008
12.	7449990	लीडर पीवीसी इंडस्ट्रीज, प्लॉट सं. 19/20, श्रीजी इंडस्ट्रीयल एस्टेट, सनाला, अजंता ब्लोक के समीप, राजकोट मोरबी राजमार्ग, मोरबी, जिला राजकोट, गुजरात	आईएस 4985 : 2000 पेयजल आपूर्ति के लिए अप्लास्टिकृत पीवीसी पाइप	20-8-2008
13.	7496801	देव मिनरल, ए/3, तारामणी, टाऊनशिप, पटेल सोसायटी के पीछे, 80 फीट रोड, वाघवान, जिला : सुरेंद्रनगर, गुजरात	आईएस 14543 : 2004 पैकेजबन्द पेय जल (पैकेजबन्द प्रकृति मिनरल जल के अलावा)-विशिष्ट	1-6-2008
14.	7516676	एवरेस्ट इलेक्ट्रीकल्स 11, अटिका इंडस्ट्रीयल एरिया, अटिका रबर मिल्स के सामने, धेबर रोड, दक्षिण, जिला : राजकोट, गुजरात 360002	आईएस 8783 भाग 4 : सैक्शन 3 : 1995 सबमर्सिबल मोटर के लिए : इंडिविजुअल वायर वाइरिंग वायर : पोलिस्टर एवं पोलीप्रोपीलीन इंसुलेटिड वायर	10-10-2007
15.	7532371	वैल डेकोर सेरामिक्स, शोभेश्वर रोड, पिकनिक सेंटर के सामने, मोरबी, जिला राजकोट, गुजरात 363642	आईएस 2556 (भाग 3) : 1994 बिट्रियल सेनेट्री उपस्कर (सामान्य अपेक्षाएं) बैठकर शौचादि के लिए पात्र	2-2-2008
16.	7535074	अजंता इंडिया लिमिटेड, अजंता इंडस्ट्रीयल एस्टेट, मोरबी, राजकोट हाईवे रोड, जिला राजकोट, गुजरात 363641	आईएस 7884 : 1992 सिंथेटिक डिटरजेंट आधारित शैंपू	15-2-2008
17.	7542879	विशाल साल्ट इंडस्ट्रीज, टी सी एक्स दक्षिण, 23 गांधीधाम, जिला कच्छ, गुजरात 370201	आईएस 7224 : 1985 आयोडीन युक्त नमक की विशिष्ट	31-3-2008
18.	7544075	शाह इंडस्ट्रीज, प्लॉट सं. 349 ए, जी आई डी सी 2, लालपुर बाईपास के समीप, गांव दुरेड, जिला जामनगर, गुजरात 361004	आईएस 4984 : 1985 पेय जल आपूर्ति, मल और औद्योगिक बहिस्त्रावों हेतु उच्च घनत्व पॉलीइथाइलीन पाइप	31-3-2008
19.	7545380	शाह इंडस्ट्रीज, प्लॉट सं. 349 ए, जी आई डी सी 2, लालपुर बाईपास के समीप, गांव दुरेड, जिला जामनगर, गुजरात 361005	आईएस 14151 (भाग 2) : 1999 सिंचाई उपस्कर-स्प्रिंकलर पाइप- विशिष्ट- भाग 2 सहज संयोजी पोलीएथिलीन पाइप	31-3-2008

(1)	(2)	(3)	(4)	(5)
20.	7547889	अजंता इंडिया लिमिटेड, अजंता इंडस्ट्रीयल एस्टेट, मोरबी, राजकोट हाईवे रोड, जिला राजकोट, गुजरात 363641	आईएस 7123 : 1993 बालों का तेल	20-4-2008
21.	7565083	वेलस्पन गुजरात स्टील रोहरेन लिमिटेड, वरसामेडी, अंजार भचाऊ रोड, तालुका अंजार जिला कच्छ, गुजरात 371110	आईएस 3601 : 1984 यांत्रिक और सामान्य इंजीनियरी प्रयोजनों के लिए इस्पात के पाइप	25-9-2008
22.	7565285	वेलस्पन गुजरात स्टील रोहरेन लिमिटेड, वरसामेडी, अंजार भचाऊ रोड, तालुका अंजार जिला कच्छ, गुजरात 371111	आईएस 5504 : 1997 स्पायरल वेल्डिड पाइपज	25-9-2008
23.	7570480	पूजा पाइपज एवं स्ट्रक्चरल प्रा.लि., सर्वे सं. 963/1, एकता होटल के समीप, राष्ट्रीय राजमार्ग 8 ए, जूना कटारिया, तालुका भचाऊ, कच्छ, गुजरात 370150	आईएस 3589 : 2001 जल, गैस और मलजल के लिए बिजली से वेल्डित इस्पात के पाइप (168.3 से 2032 मिमी बाहरी व्यास)	25-10-2008
24.	7576492	आर वी रबर इंडस्ट्रीज, शेड सं. के-1/5, जी आई डी सी लोधिक, मेटोडा, रोड बी, राजकोट गुजरात	आईएस 7466 : 1994 प्रेसर कूकर के लिए रबर गार्स्केट	12-8-2007
25.	7594696	एंकर इलेक्ट्रिकल्स प्रा. लि., सर्वे सं. 234, 235, 236, गांव लाखोंड, पोस्ट ऑफिस कुकमा, तालुका : भुज, जिला कच्छ, गुजरात 370105	आईएस 2854 : 1997 घरेलू एवं समरूप उपयोग के लिए स्विचिस	3-5-2008
26.	7624982	श्री हरि एप्लायंसिज, सर्वे सं. 234, प्लॉट सं. 3, वेरावल शापर, तालुका : कोटडा संघानी, राजकोट गुजरात	आईएस 2347 : 1974 घरेलू प्रेशर कुकर	13-6-2008
27.	7628283	अभय इंडस्ट्रीज, राजमोती इंडस्ट्रीज के समीप, भावनगर रोड, राजकोट, गुजरात 360003	आईएस 9537 (भाग 3) : 1983 विद्युत संस्थापनों के लिए कंड्यूटस भाग : 3 विद्युत रोधन सामग्री के दृढ़ सादे कंड्यूट	26-6-2008
28.	7646487	शांति बेवरेजीज, 95 सेक्टर 11, जी आई डी सी, गांधीधाम, कच्छ, गुजरात 370201	आईएस 14543 : 2004 पैकेजबन्द पेयजल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)-विशिष्ट	24-8-2008
29.	7646588	विश्वास बेवरेजीज, गांव नारानपार, तालुका भुज, जिला कच्छ, गुजरात	आईएस 14543 : 2004 पैकेजबन्द पेयजल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)-विशिष्ट	24-8-2008
30.	7648390	गुजरात सिध्दी सीमेंट लि., सिधिग्राम, वेरावल कोडिनार हाईवे, तालुका सुत्रपाड़ा जिला जूनागढ़, गुजरात 362276	आईएस 455 : 1989 पोर्टलैंड धातुमल सीमेंट	30-8-2008

(1)	(2)	(3)	(4)	(5)
31.	7681792	क्लिक सेफटी रेजर मैनुफैक्चरर्स, प्लॉट सं. 143/1-बी, II, आजी जीआईडीसी, राजकोट, गुजरात 360003	आईएस 10908 : 1991 फलैक्सिबल रबर ट्यूबिंग लिक्विफाईड पेट्रोलियम गैस के लिए	6-12-2007
32.	7701974	प्रकाश सेरेमिक्स, वगादिया रोड, धानगढ़, सुरेंद्रनगर, गुजरात 363530	आईएस 2556 (भाग 3) : 1994 बिट्रियल सेनेट्री उपस्कर (अन्य अपेक्षाएं) वैठकर शौचादि के लिए पात्र	28-1-2008
33.	7705174	कुकवेल फूड्स इंडिया प्रा.लि., प्लॉट सं. 77/94, सेक्टर सं. 11, जीआईडीसी गांधीधाम, जिला कच्छ, गुजरात 370201	आईएस 7224 : 1985 आयोडीन युक्त नमक की विशिष्टि	6-2-2008
34.	7714175	रूषभ इंडस्ट्रीज, सर्वे सं. 244, प्लॉट सं.-5 सर्वोदय के सामने, शापर राजकोट, गुजरात 360002	आईएस 2403 : 1975 बाईसिकिल की चेन	29-2-2008
35.	7729188	बोस बेवरेजीज, नानी वाड़ी, तालुका : मोरबी, राजकोट, गुजरात	आईएस 14543 : 2004 पैकेजबन्द पेयजल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)-विशिष्टि	4-8-2008
36.	7743182	महाराजा मिनरल वॉटर, 262 जीआईडीसी, रफलेश्वर, 8ए, राष्ट्रीय राजमार्ग मोरबी राजकोट, गुजरात 363642	आईएस 14543 : 2004 पैकेजबन्द पेयजल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)-विशिष्टि	21-5-2008
37.	7750482	पटेल सीमेंट प्रा.लि., सर्वे सं. 169, प्लॉट सं. 11, वेरावल-शापर, राजकोट, गुजरात	आईएस 1489 (भाग 1) : 1991 पोर्टलैंड पोर्जोलाना सीमेंट	11-6-2008
38.	7752890	सर्व सेवा संघ खादी ग्रामोद्योग ट्रस्ट, एसेम्बलिंग यूनिट, रानी इंडस्ट्रीज एस्टेट-1, परीन फर्नीचर, राष्ट्रीय राजमार्ग 8 बी, जिला : राजकोट, गुजरात	आईएस 13429 (भाग 1) : 2000 सैलर कुकर बॉक्स टाइप : अपेक्षाएं	17-6-2008
39.	7754490	गायत्री बेवरेजीज, अंकुर कॉम्प्लेक्स, 60 फीट रोड, विद्युत नगर, इंडियन रेयोन एवं इंक लिमिटेड, वेरावल, जिला जुनागढ़, गुजरात 362266	आईएस 14543 : 2004 पैकेजबन्द पेयजल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)-विशिष्टि	26-6-2008
40.	7754894	गेलेक्सी डेकोर प्रा. लिमिटेड, 910, 911, जीआईडीसी एस्टेट, गांव एवं पोस्ट बामनबोर, चोटिला, सुरेंद्रनगर, गुजरात 363520	आईएस 330 : 1975 सामान्य प्रयोजनों के लिए प्लाईवुड	27-6-2008
41.	7756595	गेलेक्सी डेकोर प्रा. लिमिटेड, 910, 911, जीआईडीसी एस्टेट, गांव एवं पोस्ट बामनबोर, चोटिला, सुरेंद्रनगर, गुजरात 363521	आईएस 2202 (भाग 1) : 1999 लकड़ी के सपाट दरवाजे के शटर (ठोस कोर टाइप) भाग 1 प्लाईवुड के सतह युक्त पल्ले	28-6-2008

(1)	(2)	(3)	(4)	(5)
42.	7779207	सागर बेवरेजीज, राष्ट्रीय राजमार्ग 8 ए, कनैया होटल के सामने, चोटिला, सुरेंद्रनगर, गुजरात 363520	आईएस 14543 :2004 पैकेजबन्द पेयजल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)-विशिष्ट	19-9-2008
43.	1682259	कनेरिया इंजीनियरिंग वर्क्स, 1/डब्ल्यू, भक्तिनगर इंडस्ट्रीयल एस्टेट, राजकोट, गुजरात 360002	आईएस 11170 : 1985 कृषि प्रयोजनों के लिए समगति संपन्न प्रज्जवलन (डीजल) इंजन की कार्यकारिता अपेक्षाएं	30-4-2008
44.	1781665	गुजरात सिध्दी सीमेंट लिमिटेड, सिध्दीग्राम, वेरावल-कोडीनार हाईवे, तालुका : सुत्रपड़ा, जिला : जुनागढ़, गुजरात 362276	आईएस 8112 : 1989 43 ग्रेड साधारण पोर्टलैंड सीमेंट	30-9-2008
45.	7106455	अल्ट्राटेक सीमेंट लिमिटेड, गुजरात सीमेंट वर्क्स, गांव : कोवाया, तालुका : राजुला, जिला अमरेली, गुजरात 365560	आईएस 269 : 1989 साधारण अल्प ऊष्मा पोर्टलैंड सीमेंट	31-3-2008
46.	7119767	कोटेश्वर फूड इंडस्ट्रीज, एफ-9, अनाम कॉमर्शियल सेक्टर 9, गांधीधाम, जिला कच्छ, गुजरात 370201	आईएस 7224 : 1985 आयोडीन युक्त नमक की विशिष्ट	14-3-2008
47.	7172973	प्रिंस सीमेंट कंपनी, मेटल रोड, धुवा, तालुका : वांकानेर, राजकोट, गुजरात 363621	आईएस 8112 : 1989 43 ग्रेड साधारण पोर्टलैंड सीमेंट	15-5-2008
48.	7179886	अल्ट्राटेक सीमेंट लिमिटेड, गुजरात सीमेंट वर्क्स, गांव : कोवाया, तालुका : राजुला, जिला : अमरेली, गुजरात 365560	आईएस 269 : 1989 साधारण और अल्प ऊष्मा पोर्टलैंड सीमेंट	31-3-2008
49.	7233664	चैम्पियन सीमेंट इंडस्ट्रीज, 8ए, नैशनल हाईवे, पोस्ट ऑफिस धुवा, तालुका : वांकानेर, राजकोट, गुजरात	आईएस 8112 : 1989 43 ग्रेड साधारण पोर्टलैंड सीमेंट	31-10-2007
50.	7285885	हीरो एग्रो प्लास्ट प्रा. लि., प्लॉट सं. जी 2309 एवं जी 2310, लोधिका जी आई डी सी एस्टेट, राजकोट कालावड़ रोड, स्टेट हाईवे सं. 23, मेटोडो, लोधिका, जिला राजकोट, गुजरात-360005	आईएस 4985 : 2000 पेयजल आपूर्ति के लिए अप्लास्टिकृत पीवीसी पाइप	10-3-2007
51.	7128667	एवरेस्ट इलैक्ट्रिकल्स, बामनबोर जी आई डी सी, तालुका : चोटिला, जिला : सुरेंद्रनगर गुजरात	आईएस 12786 : 1989 सिंचाई उपस्कर - छलनी टाइप फिल्टर - विशिष्ट	12-12-2008

(1)	(2)	(3)	(4)	(5)
52.	7225564	सेंचुरी केमिकल्ज, सेंचुरी टेक्सटाईल एवं इंडस्ट्रीज लि. की एक डिवीजन, गांव एवं पोस्ट नावानागना, जिला जामनगर, गुजरात 361007	आईएस 7224 : 1985 आयोडीन युक्त नमक की विशिष्टि	19-1-2009
53.	1863667	एडवांस डीजल इंजिनज प्रा. लि. आजी इंडस्ट्रीयल एस्टेट, भावनगर रोड, राजकोट, गुजरात 360003	आईएस 11170 : 1985 कृषि प्रयोजनों के लिए समगति संपीडन प्रज्वलन (डीजल) इंजन की कार्यकारिता अपेक्षाएं	30-12-2008
54.	7815888	लॉर्डज प्रोडक्ट्स, सूर्या भवन, महालक्ष्मी चौक, प्रथम तल, जिला : जामनगर, गुजरात 361001	आईएस 14543 : 2004 पैकेजबन्द पेयजल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)-विशिष्टि	23-1-2009
55.	7458587	धारा इंडस्ट्रीज, प्लॉट सं. 2710, क्रांति गेट मेन रोड, लोधिकी जी आई डी सी मेटोडा, जिला : राजकोट, गुजरात	आईएस 8034 : 2002 सबमर्सिबल पंपसेट	21-1-2009
56.	7457888	पेस पेंपर प्रोडक्ट्स प्रा. लि., सेमारवाव, तालुका तलाला, जिला जूनागढ़, गुजरात 362150	आईएस 14543 : 2004 पैकेजबन्द पेयजल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)-विशिष्टि	19-1-2009
57.	7561075	अजंता इंडिया लिमिटेड, अजंता इंडस्ट्रीयल एस्टेट, मोरबी, राजकोट हाईवे रोड, जिला राजकोट, गुजरात 363641	आईएस 9740 : 1981 शेविंग क्रीम	31-12-2008
58.	7391581	गुजरात फोरजिंग लिमिटेड, पोस्ट बॉक्स 1004, पीडीटीसी के सामने, आजी इंडस्ट्रीयल एरिया, राजकोट, गुजरात 360004	आईएस 10001 : 1981 सामान्य प्रयोजनों के लिए समगति संपीडन प्रज्वलन (डीजल)	19-12-2008
59.	7378387	जय इंडस्ट्रीज, बिटैक्स हाऊस, राजमोती इंडस्ट्रीज के समीप, भावनगर रोड, जिला : राजकोट, गुजरात 360003	आईएस 694 : 1990 पीवीसी रोधित केबल बोल्टेज कार्यकारिता 1100 तक सम्मिलित	16-12-2008
60.	7871696	पार्थ एंटरप्राइज, नया नेहरू नगर, धेबर रोड सं. 7, नादेश्वर मंदिर, राजकोट ई एच बी, गुजरात 360004	आईएस 8034 : 2002 सबमर्सिबल पंपसेट	5-2-2009
61.	7831482	किरलोस्कर ऑयल इंजनज लि. प्लॉट सं. 2315/16, 2330/2331 जीआईडीसी, लोधिकी इंडस्ट्रीयल एस्टेट, आलमाईटी गेट, रोड डी 4, गांव मेटोडा, जिला : राजकोट, गुजरात 360021	आईएस 6595 पार्ट 1 : 2006 होरिजेंटल सेंट्रीफ्यूगल पंप क्लीयर, कोल्ड वॉटर: कृषि एवं रूरल वाटर सप्लाई उपयोग के लिए	2-1-2009

(1)	(2)	(3)	(4)	(5)
62.	7811779	भवानी पंप्स, 3, ऊमाकांत पंडित उद्योगनगर, राजकोट जिला : राजकोट, गुजरात 360004	आईएस 8034 : 2002 सबमर्सिबल पंपसेट	2-6-2008
63.	7769810	एस ए एल स्टील लिमिटेड, सर्वे सं. 245, पायकी, गाँव भरपार, तालुका : गांधीधाम, जिला : कच्छ, गुजरात	आईएस 2062 : 1999 सामान्य संरचना कार्यों के लिए इस्पात	6-5-2008
64.	7760586	अमिधारा पंप इंडस्ट्रीज, 8 बी राष्ट्रीय राजमार्ग, गमारा पेट्रोल पंप, रिंग रोड, जिला राजकोट, गुजरात 360003	आईएस 8034 : 2002 सबमर्सिबल पंपसेट	2-6-2008
65.	7749804	संतन इलैक्ट्रिक इंडस्ट्रीज, मोलिया एस्टेट, सतानी इंडस्ट्रीज के समीप, अटिका इंडस्ट्रीयल स्ट्रीट सं. 8, हसनवाड़ी मेन रोड के अंत पर, राजकोट, गुजरात 360002	आईएस 8034 : 2002 सबमर्सिबल पंपसेट	2-6-2008
66.	7736690	कृष्णा केबल इंडस्ट्रीज, सर्वे सं. 281/1, प्लॉट सं. 13-ए, बेस्ट एग्रो के पीछे, शापर, जिला : राजकोट, गुजरात	आईएस 694 : 1990 पीवीसी रोधित केबल वोल्टेज कार्यकारिता 1100 तक सम्मिलित	9-1-2009
67.	7736589	मयूर केबल इंडस्ट्रीज, रवि टाईल्स के पीछे, सोहम एस्टेट के समीप, आर पी फूड के सामने, सर्वे सं. 26, प्लॉट सं. 16, शापर बेरावल, जिला : राजकोट, गुजरात	आईएस 694 : 1990 पीवीसी रोधित केबल वोल्टेज कार्यकारिता 1100 तक सम्मिलित	16-12-2008
68.	7704879	भूमि पोलिमेरज, प्लॉट सं. 11 बी, सर्वे सं. 236, बेरावल शापर, तालुका : कोटडा संधानी, जिला : राजकोट, गुजरात	आईएस 13488 : 1992 एमिटिंग पाईप सिस्टम्स	2-6-2008
69.	7611981	त्रिपुरारी इलैक्ट्रिक वर्क्स, मानसेट इंडस्ट्री के सामने, गोडल रोड, जिला : राजकोट, गुजरात 360001	आईएस 8472 : 1998 पंप रीजेनरेटिव अथवा क्लीयर, कोल्ड वाटर	9-1-2009
70.	7364881	सिल्वर सेरेमिक्स, पुरानी घुंटा, मोरबी, जिला : राजकोट, गुजरात 363642	आईएस 2556(भाग 3) : 1994 बिट्रियल सेनेट्री उपस्कर (सामान्य अपेक्षाएँ) बैठकर शौचादि के लिए पात्र	10-6-2008

[सं. सीएमडी/13:13]

पी. के. गम्भीर, उप महानिदेशक (मुहर)

(1)	(2)	(3)	(4)	(5)
20.	7545380	Shah Industries, Plot No. 349/A, GIDCII, Near Lalpur Bypass, Village Dured, Distt. Jamnagar, Gujarat	Irrigation equipment - sprinkler pipes - part 2: quick coupled polyethylene pipes IS 14151 : Part 2 : 1999	31 March, 2008
21.	7547889	Ajanta India Ltd., Ajanta Industrial Estate, Morbi, Rajkot Highway Road, Rajkot, Gujarat	Hair oils - IS 7123 : 1993	20 April, 2008
22.	7565083	Welspun Gujarat Stahl Rohren Limited, Varsamedi Anjar- Bhachau Road, Taluka-Anjar, Distt. : Kutch, Gujarat-371 110	Steel tubes for mechanical and general engineering purposes IS 3601 : 1984	25 September, 2008
23.	7565285	Welspun Gujarat Stahl Rohren Limited, Varsamedi Anjar- Bhachau Road, Taluka-Anjar, Distt. : Kutch, Gujarat-371111	Spiral welded pipes IS 5504 : 1997	25 September, 2008
24.	7570480	Pooja Pipes & Structural Pvt. Ltd., Survey No. 963/1, Near Ekta Hotel, NH No. 8/A At Juna Kataria, Taluka Bhachau, Kachchh, Gujarat-370 150	Steel pipes for water and sewage (168.3 to 254.0 mm outside diameter) - IS 3589 : 2001	25 October, 2007
25.	7576492	R. V. Rubber Industries, Shed No. K-1/5, GIDC Lodhika, (Metoda) Road-B, Rajkot, Gujarat	Rubber gaskets for pressure cookers IS 7466 : 1994	12 August, 2007
26.	7594696	Anchor Electricals Pvt. Ltd. Survey No. 234, 235, 236, Village-Lakhond, P.O. Kukma, Tal. : Bhuj, Distt. : Kachchh, Gujarat-370 105	Switches for domestic and similar purposes IS 3854 : 1997	3 May, 2008
27.	7624982	Shree Hari Appliances, Survey No. 234, Plot No. 3, Veraval (Shapar), Tal : Kotda Sangani, Rajkot, Gujarat	Domestic pressure cookers - IS 2347 : 1995	13 June, 2008
28.	7628283	Abhay Industries, Near Rajmoti Industries, Bhavnagar Road, Rajkot, Gujarat-360003	Conduits for electrical installations : part 3 rigid plain conduits of insulating materials IS 9537 : Part 3 : 1983	26 June, 2008
29.	7646487	Shanti Beverages, 95, Sector 11, GIDC, Gandhidham, Kachchh, Gujarat-370 201	Packaged drinking water (other than packaged natural mineral water) - IS 14543 : 2004	24 August, 2008
30.	7646588	Vishvas Beverages, Village Naranpar, Tal. : Bhuj, Kachchh, Gujarat	Packaged drinking water (other than packaged natural mineral water) - IS 14543 : 2004	24 August, 2008
31.	7648390	Gujarat Sidhee Cement Ltd., Sidheeegram, Veraval - Kodinar Highway, Tal. : Sutrapada, Distt. : Junagadh, Gujarat	Portland slag cement IS 455 : 1989	30 August, 2008

(1)	(2)	(3)	(4)	(5)
32.	7681792	Klik Safety Razor manufactures Plot No. 143/1-B, II AJI GIDC Rajkot, Gujarat-360003	Flexible rubber tubing for liquefied petroleum gas IS 10908 : 1991	12 June, 2007
33.	7701974	Prakash Ceramics, Vagadia Road, Thangadh, Surendranagar, Gujarat-363530	Vitreous sanitary appliances, (vitreous china) - part 3 : specific requirements of squatting pans IS 2556 : Part 3 : 2004	28 January, 2008
34.	7705174	Cookvel Foods India Pvt. Ltd., Plot No. 77/94, Sector No. 11. GIDC, Gandhidham, Kachchh, Gujarat 370 201	Iodized salt IS 7224 : 1985	2 June, 2008
35.	7714175	Rushabh Industries, Survey No. 244, Plot No. 5, Opp. : Sarvoday, Shapar, Rajkot, Gujarat-360002	Short pitch transmission precision roller chains and chain wheels IS 2403 : 1991	29 February, 2008
36.	7729188	Boss Beverages, Nani Vavdi, Taluka : Morbi, Rajkot, Gujarat	Packaged drinking water (other than packaged natural mineral water) IS 14543 : 2004	4 August, 2008
37.	7743182	Maharaja Mineral Water, 262 GIDC, Rafleshwar, 8A, National Highway, Morbi, Rajkot, Gujarat-363642	Packaged drinking water (other than packaged natural mineral water) IS 14543 : 2004	21 May, 2008
38.	7750482	Patel Cement Pvt. Ltd., Sr. No. 169, Plot No. 11, At : Veraval-Shapar Rajkot, Gujarat	Portland pozzolana cement Part 1 flyash based IS 1489 : Part 1 : 1991	6 November, 2008
39.	7752890	Serve Seva Sangh Khadi Gramodhyog Trust, (Assembling Unit) Rani Industries Estate-I, B/H Parin Furniture, National Highway 8-B, Distt. : Rajkot, Gujarat	Solar cooker - box type - Part 1: requirements IS 13429 : Part 1 : 2000	17 June, 2008
40.	7754490	Gayatri Beverages, Ankur Complex, 60 Ft. Road, Vidhyut Nagar, Opp. Indian Rayon and Inc. Ltd., Veraval, Distt. : Junagadh, Gujarat-362266	Packaged drinking water (other than packaged natural mineral water) IS 14543 : 2004	26 June, 2008
41.	7754894	Galaxy Decor Pvt. Ltd. 910, 911 GIDC Estate, Vill. & Post-Bamanbore Chotila, Surendranagar, Gujarat-363520	Plywood for general purposes IS 303 : 1989	27 June, 2008
42.	7756595	Galaxy Decor Pvt. Ltd., 910, 911 GIDC Estate, Vill. & Post-Bamanbore Chotila, Surendranagar, Gujarat-363521	Wooden flush door shutters (solid core type) : Part 1 plywood face panels IS 2202 : Part 1 : 1999	28 June, 2008

(1)	(2)	(3)	(4)	(5)
43.	7779207	Sagar Beverages, National Highway 8-A, Opp. Kanaiya Hotel, Chotila Surendranagar, Gujarat-363520	Packaged drinking water (other than packaged natural mineral water) IS 14543 : 2004	19 September, 2008
44.	1682259	Kaneria Engineering Works 1/W, Bhaktinagar, Indl. Estate, Rajkot, Gujarat-360002	Performance requirements for constant speed compression ignition (diesel) engines for agricultural purposes (up to 20 kw) IS 11170 : 1985	30 April, 2008
45.	1781665	Gujarat Sidhee Cement Ltd. Sidheeegram, Veraval-Kodinar, Highway, Tal. : Sutrapada, Distt. : Junagadh, Gujarat-362276	33 grade ordinary portland cement IS 269 : 1989	30 September, 2008
46.	7106455	Ultratech Cement Ltd. Gujarat Cement Works, Village : Kovaya, Tal. : Rajula, Distt. : Amreli, Gujarat-365560	33 grade ordinary portland cement IS 269 : 1989	31 March, 2008
47.	7119767	Koteshwar Chemfood Industries F-9 Anam Commercial, Sector 9, Gandhidham, Distt. : Kutch, Gujarat 370201	Iodized salt IS 7224 : 1985	14 March, 2008
48.	7172973	Prince Cement Co., Matel Road, Dhuva, Taluka Wankaner, Rajkot, Gujarat-363621	43 grade ordinary portland cement IS 8112 : 1989	15 May, 2008
49.	7179886	Ultratech Cement Ltd., Gujarat Cement Works, Village : Kovaya, P.O. Box 24, Distt. : Amreli, Gujarat-365560	Sulphate resisting portland cement IS 12330 : 1988	31 March, 2008
50.	7233664	Champion Cement Industries 8-A, National Highway, P.O. Dhuva, Taluka Wankaner, Distt. Rajkot, Gujarat	43 grade ordinary portland cement IS 8112 : 1989	31 October, 2007
51.	7285885	Hero Agro Plast P. Ltd. Plot No. G-2309 & G-2310, Lodhika GIDC Estate, Rajkot-Kalawad Road State, Highway No. 23, At. : Metoda, Lodhika, Distt. Rajkot, Gujarat-360005	Unplasticized pvc pipes for potable water supplies IS 4985 : 2000	10 March, 2007
52.	7225564	M/s. Century Chemicals (A Division of Century Textile & Industries Ltd.) Village and Post : Navanagna, Distt. Jamnagar, Gujarat-361007	Iodized salt as per IS 7224 : 1985	19 January, 2009
53.	1863667	Advance Diesel Engines Pvt. Ltd., Aji Industrial Estate, Bhavnagar Road, Rajkot, Gujarat-360003	Performance requirements for constant speed compression ignition (diesel) engines for agricultural purposes (up to 20 kw) IS 11170 : 1985	30 December, 2008

(1)	(2)	(3)	(4)	(5)
54.	7815888	Lords Products Surya Bhavan, Mahalaxmi Chowk, 1st Floor, Distt. Jamnagar, Gujarat-361001	Packaged drinking water (other than packaged natural mineral water) IS 14543 : 2004	23 January, 2009
55.	7458587	M/s. Dhara Industries Plot No. 2710, Kranti Gate Main Road Lodhika GIDC Metoda, Distt. Rajkot, Gujarat	Submersible Pumpsets IS 8034 : 2002	21 January, 2009
56.	7457888	Pace Paper Products P. Ltd. At : Semarvav, Tal. : Talala, Distt. Junagadh, Gujarat-362150	Packaged drinking water (other than packaged natural mineral water) IS 14543 : 2004	19 January, 2009
57.	7561075	M/s. Ajanta India Ltd. Ajanta Industrial Estate, Morbi, Rajkot Highway Road, Rajkot, Gujarat	Shaving Creams IS 9740 : 1981	31 December, 2008
58.	7391581	Gujarat Forgings Ltd. Post Box 1004, Opp. PDTC, Aji Industrial Area, Rajkot, Distt. Rajkot, Gujarat-360004	IS 10001 : 1981 Performance requirements for constant speed compression ignition (diesel) engines for general purposes (up to 20 kw)	19 December, 2008
59.	7378387	M/s. Jay Industries Bintex House, Near Rajmoti Industries, Bhavnagar Road, Distt. Rajkot, Gujarat-360003	IS 694 : 1990 PVC insulated cables for working voltages upto and including 1100 v	16 December, 2008
60.	7871696	Parth Enterprise New Nehru Nagar, Dhebar Road No. 7, Near Nadeshwar Temple, Rajkot EHB, Distt. Rajkot, Gujarat-360004	Submersible Pumpsets IS 8034 : 2002	5 February, 2009
61.	7831482	Kirloskar Oil Engines Ltd. Plot No. 2315/16, 2330/31 GIDC Lodhika, Industrial Estate, Almighty Gate, Road D-4, Village : Metoda, Distt. Rajkot, Gujarat-360021	Horizontal centrifugal pumps for clear, cold water - part 1: agricultural and rural water supply purposes IS 6595 : Pt. 1 : 2006	2 January, 2009
62.	7811779	M/s. Bhavani Pumps 3, Umakant Pandit Udyognagar Rajkot, Distt. Rajkot, Gujarat-360004	Submersible Pumpsets IS 8034 : 2002	2 January, 2008
63.	7769810	S.A.L. Steel Limited Survey No. 245, Paiki, Village : Bharapar, Tal. : Gandhidham, Distt. Kachchh, Gujarat	Steel for general structural purposes IS 2062 : 1999	6 May, 2008
64.	7760586	M/s. Amidhara Pump Industries 8-B, National Highway, Nr. Gamara Petrol Pump, Ring Road, Distt. Rajkot, Gujarat-360003	Submersible Pumpsets IS 8034 : 2002	2 June, 2008

(1)	(2)	(3)	(4)	(5)
65.	7749804	M/s. Santan Electric Industries Moliya Estate, Near Satani Industries, Atika Industrial Street No. 8, End Hasanwadi Main Road, Distt. Rajkot, Gujarat-360002	Submersible Pumpsets IS 8034 : 2003	2 June, 2008
66.	7736690	M/s. Krishna Cable Industries Survey No. 281/1, Plot No. 13-A, Behind Best Agro, Shapar, Distt. Rajkot, Gujarat	IS 694 : 1990 PVC insulated cables for working voltages upto and including 1100 V	9 January, 2009
67.	7736589	M/s. Mayur Cable Industries B/H Ravi Tiles, Near Soham Estate, Opp. R.P. Food, Survey No. 26, Plot No. 16, Shapar (Veraval), Distt. Rajkot, Gujarat	IS 694 : 1990 PVC insulated cables for working voltages upto and including 1100 V	16 December, 2008
68.	7704879	M/s. Bhumi Polymers Plot No. 11-B, Survey No. 236, At. : Veraval (Shapar), Tal. : Kotda-Sangani, Distt. Rajkot, Gujarat	IS 13488 : 1992 Emitting Pipes System	2 June, 2008
69.	7611981	M/s. Tripurari Electric Works Opp. Mansett Ind. Gondal Road, Distt. Rajkot, Gujarat-360001	IS 8472 : 1998 Pumps - regenerative or clear, cold water	9 January, 2009
70.	7364881	M/s. Silver Ceramics Old Ghuntu, Morbi, Morbi, Distt. : Rajkot, Gujarat-363642	Vitreous sanitary appliances (Vitreous China) - Part 3 : specific requirements of squatting pans IS 2556 : Part 3 : 2004	10 June, 2008

[No. CMD/13 : 11]

P. K. GAMBHIR, Dy. Director General (Marks)

कोयला मंत्रालय

आदेश

नई दिल्ली, 9 मार्च, 2009

का.आ. 708.—केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20), (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 9 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के कोयला मंत्रालय की अधिसूचना सं. का. आ. 2491 तारीख 29 अगस्त, 2008 जो भारत के राजपत्र, भाग II, खंड 3, उप-खंड (ii), तारीख 6 सितम्बर, 2008 में प्रकाशित की गई थी, के प्रकाशन पर उक्त अधिसूचना से संलग्न अनुसूची में वर्णित भूमि या ऐसी भूमि (जिसे इसमें इसके पश्चात् उक्त भूमि कहा गया है) में, या उस पर के अधिकार उक्त अधिनियम की धारा 10 की उप-धारा (1) के अधीन, सभी विल्लंगनों से मुक्त होकर आत्यंतिक रूप से केन्द्रीय सरकार में निहित हो गए थे ;

और, केन्द्रीय सरकार का यह समाधान हो गया है कि महानदी कोलफील्ड्स लिमिटेड, संबलपुर (उड़ीसा) (जिसे इसमें इसके पश्चात् उक्त कंपनी कहा गया है), ऐसे निबंधनों और शर्तों का, जिनको केन्द्रीय सरकार इस निमित्त अधिरोपित करना उचित समझे, अनुपालन करने के लिए तैयार है;

अतः अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 11 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि और इस प्रकार निहित सभी अधिकार, तारीख 6 सितम्बर, 2008 से केन्द्रीय सरकार में इस प्रकार निहित बने रहने के बजाए, निम्नलिखित निबंधनों और शर्तों के अधीन रहते हुए, सरकारी कंपनी में निहित हो जाएंगे, अर्थात् :—

1. उक्त कंपनी, उक्त अधिनियम के उपबंधों के अधीन यथा अवधारित प्रतिकर, ब्याज, नुकसान और वैसे ही मदों की बाबत किए गए सभी संदायों की केन्द्रीय सरकार को प्रतिपूर्ति करेगी;
2. उक्त कंपनी द्वारा शर्त (1) के अधीन, केन्द्रीय सरकार को संदेय रकमों का अवधारण करने के प्रयोजन के लिए एक अधिकरण का गठन किया जाएगा और ऐसे किसी अधिकरण के और अधिकरण की सहायता करने के लिए नियुक्त व्यक्तियों के संबंध में उपगत सभी व्यय, सरकारी कंपनी द्वारा वहन किए जाएंगे और इसी प्रकार, निहित उक्त भूमि में या उस पर के उक्त अधिकारों के लिए या उनके संबंध में जैसे अपीलें आदि सभी विधिक कार्यवाहियों की बाबत उपगत, सभी व्यय भी, उक्त कंपनी द्वारा वहन किए जाएंगे;
3. उक्त कंपनी, केन्द्रीय सरकार या उसके पदधारियों की, ऐसे किसी अन्य व्यय के संबंध में, क्षतिपूर्ति करेंगी जो इस प्रकार निहित उक्त भूमि में या उस पर के पूर्वोक्त अधिकारों के बारे में केन्द्रीय सरकार या उसके पदधारियों द्वारा या उनके विरुद्ध किन्हीं कार्यवाहियों के संबंध में आवश्यक हो;
4. उक्त कंपनी को, केन्द्रीय सरकार के पूर्व अनुमोदन के बिना, भूमि या अधिकार को किसी अन्य व्यक्ति को अंतरित करने की शक्ति नहीं होगी; और
5. उक्त कंपनी, ऐसे निदेशों और शर्तों को, जो केन्द्रीय सरकार द्वारा, जब कभी आवश्यक हो, उक्त भूमि के विशिष्ट क्षेत्रों के लिए दिए जाएं या अधिरोपित किए जाएं, पालन करेगी।

[फा. सं. 43015/25/2004-पीआरआईडब्ल्यू-1]

एम. शाहबुद्दीन, अवर सचिव

MINISTRY OF COAL

ORDER

New Delhi, the 9th March, 2009

S.O. 708.—Whereas, on the publication of the notification of the Government of India in the Ministry of Coal, number S.O. 2491 dated the 29th August, 2008, in the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 6th September, 2008, issued under sub-section (1) of Section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the lands and the rights in or over such land described in the Schedule appended to the said notification (hereinafter referred to as the said lands) vested absolutely in the Central Government free from all encumbrances under sub-section (1) of Section 10 of the said Act;

And, whereas the Central Government is satisfied that the Mahanadi Coalfields Limited, Sambalpur, (Orissa) (hereinafter referred to as the Company) is willing to comply with such terms and conditions as the Central Government thinks fit to impose in this behalf;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 11 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby directs that the said lands and rights so vested shall with effect from the 6th September, 2008 instead of continuing to so vest in the Central Government, vest in the Government company subject to the following terms and conditions, namely:—

1. The said Company shall reimburse the Central Government all payments made in respect of compensation, interests, damages and the like, as determined under the provisions of the said Act;
2. A Tribunal shall be constituted for the purpose of determining the amount payable to the Central Government by the said Company under condition (1) and all expenditure incurred in connection with any such tribunal and persons appointed to assist the tribunal shall be borne by the said Company and similarly, all expenditure incurred in respect of all legal proceedings like appeals, etc., for or in connection with the rights, in or over the said lands, so vested, shall also be borne by the said Company;
3. The said Company shall indemnify the Central Government or its officials against any other expenditure that may be necessary in connection with any proceedings by or against the Central Government or its officials regarding the rights in or over the said lands so vested;
4. The said Company shall have no power to transfer said lands and the rights specified in the Schedule to the notification to any other person without the prior approval of the Central Government; and
5. The said Company shall abide by such directions and conditions as may be given or imposed by the Central Government for particular areas of the said lands, as and when necessary.

[F. No. 43015/25/2004-PRIW-I]

M. SHAHABUDEEN, Under Secy.

वाणिज्य और उद्योग मंत्रालय

(वाणिज्य विभाग)

नई दिल्ली, 19 मार्च, 2009

का.आ. 709.—केन्द्रीय सरकार निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 12 के उप-नियम (2) के साथ पठित मैसर्स जिओ-कैम लेबोरेट्रीज प्रा. लि.

कामर्स सेंटर, प्रथम तल, निकट फिश मार्केट के पास, वास्को-गोवा में है, को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए भारत सरकार के तत्कालीन वाणिज्य मंत्रालय, की अधिसूचना सं. का.आ. 3975 तारीख 20 दिसम्बर, 1965 के साथ उपाबद्ध अनुसूची में विनिर्दिष्ट खनिज और अयस्क (ग्रुप-I) अर्थात् लौह अयस्क का गोवा में निर्यात से पूर्व निम्नलिखित शर्तों के अधीन उक्त खनिजों और अयस्कों का निरीक्षण करने के लिए एक अभिकरण के रूप में मान्यता देती है, अर्थात् :-

- (i) मैसर्स जिओ-कैम लेबोरेट्रीज प्रा. लि., गोवा खनिज और अयस्क ग्रुप-I के निर्यात (निरीक्षण) नियम, 1965 के नियम 4 के उपनियम (4) के अंतर्गत निरीक्षण के परिणामों की रिपोर्ट देने के लिए अपने द्वारा अपनाई गई पद्धति की जांच करने के लिए, इस सम्बन्ध में निर्यात निरीक्षण परिषद् द्वारा नामनिर्दिष्ट अधिकारियों को पर्याप्त सुविधाएं देगी ; और
- (ii) मैसर्स जिओ-कैम लेबोरेट्रीज प्रा. लि., गोवा, इस अधिसूचना के अधीन अपने कृत्यों के पालन में निदेशक (निरीक्षण एवं क्वालिटी नियंत्रण) निर्यात निरीक्षण परिषद् द्वारा समय-समय पर लिखित में दिए गए निर्देशों से आबद्ध होंगे ।

[फा.सं.-4/1/2009-ईआई एंड ईपी]

किरण पुरी, निदेशक

MINISTRY OF COMMERCE AND INDUSTRY

(Department of Commerce)

New Delhi, the 19th March, 2009

S.O. 709.—In exercise of the powers conferred by sub-section (1) of section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), read with sub-rule (2) of rule 12 of the Export (Quality Control and Inspection) Rules, 1964, the Central Government hereby recognises M/s Geo-Chem Laboratories Private Limited, Commerce Centre, 1st Floor, Near Fish Market, Vasco-Goa as an agency for a period of three years with effect from the date of publication of this notification, for inspection of Minerals and Ores (Group-I), namely, Iron Ore as specified in the Schedule to the notification of the Government of India in the erstwhile Ministry of Commerce number S.O. 3975 dated the 20th December, 1965, prior to the export of the said Minerals and Ores at Goa, subject to

the following conditions, namely:—

- (i) that M/s. Geo-Chem Laboratories Private Limited, Goa shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in sending the report of the results of inspection under sub-rule (4) of rule 4 of the Export of Minerals and Ores, Group-I (Inspection) Rules, 1965; and
- (ii) that M/s. Geo-Chem Laboratories Private Limited, Goa in the performance of their function under this notification shall be bound by such directives as the Director (Inspection and Quality Control), Export Inspection Council may give in writing from time to time.

[F. No. 4/1/2009-EI & MP]

KIRAN PURI, Director

नई दिल्ली, 19 मार्च, 2009

का.आ. 710.—केन्द्रीय सरकार निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 12 के उपनियम (2) के साथ पठित निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एस.जी.एस. इंडिया प्राइवेट लिमिटेड, 24-1-30, हारुन मंजिल, थॉम्पसन स्ट्रीट, विशाखापत्तनम-5301 001, को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए वाणिज्य मंत्रालय, भारत सरकार की अधिसूचना सं. का.आ. 3975 और का.आ. 3978 तारीख 20 दिसम्बर, 1965 की अनुसूची में यथाविनिर्दिष्ट खनिज और अयस्क (समूह-I) अर्थात् लौह अयस्क और (समूह-II) अर्थात् फेल्डस्पार का निम्नलिखित शर्तों के अधीन रहते हुए, विशाखापत्तनम में उक्त खनिजों और अयस्कों के निर्यात से पूर्व निरीक्षण करने के लिए एक अभिकरण के रूप में मान्यता देती है कि, अर्थात् :-

- (i) मैसर्स एस.जी.एस. इंडिया प्राइवेट लिमिटेड, विशाखापत्तनम, खनिज और अयस्क समूह-I का निर्यात (निरीक्षण) नियम, 1965 के नियम 4 के उपनियम (4) और खनिज और अयस्क, समूह-II का निर्यात (निरीक्षण) नियम, 1965 के अधीन निरीक्षण के परिणामों की रिपोर्ट भेजने में उनके द्वारा अपनाई गई निरीक्षण की पद्धति की जांच करने के लिए, इस निमित्त निर्यात निरीक्षण परिषद् द्वारा नामनिर्दिष्ट अधिकारियों को पर्याप्त सुविधाएं देगी ; और
- (ii) मैसर्स एस.जी.एस. इंडिया प्राइवेट लिमिटेड, विशाखापत्तनम, इस अधिसूचना के अधीन अपने कृत्यों के अनुपालन में ऐसे निर्देशों से आबद्ध होगा जो निदेशक (निरीक्षण और क्वालिटी नियंत्रण), निर्यात निरीक्षण परिषद् द्वारा समय-समय पर लिखित में दिए जाएं ।

[फा.सं.-4/3/2009-ईआई एंड ईपी]

किरण पुरी, निदेशक

New Delhi, the 19th March, 2009

S.O. 710.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), read with sub-rule (2) of rule 12 of the Export (Quality Control and Inspection) Rules, 1964, the Central Government hereby recognises M/s.S.G.S.India Private Ltd., #, 24-1-30, Haroon Manzil, Thompson Street, Visakhapatnam - 5301 001, as an agency for a period of three years with effect from the date of publication of this notification, for inspection of Minerals and Ores (Group-I), namely, Iron Ore and (Group-II), namely, Feldspar, as specified in the Schedule to the notifications of the Government of India in the then Ministry of Commerce vide numbers S.O. 3975 dated the 20th December, 1965 and S.O. 3978 dated the 20th December, 1965, prior to the export of the said Minerals and Ores' at Visakhapatnam, subject to the following conditions, namely:—

- (i) that M/s S.G.S India Private Limited, Visakhapatnam shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in sending the report of the results of inspection under sub-rule (4) of Rule 4 of the Export of Minerals and Ores, Group-I (Inspection) Rules, 1965 and the Export of Minerals and Ores, Group-II (Inspection) Rules, 1965; and
- (ii) that M/s. S.G.S India Private Limited, Visakhapatnam in the performance of their function under this notification shall be bound by such directives as the Director (Inspection and Quality Control), Export Inspection Council may give in writing from time to time.

[F. No. 4/3/2009-EI & EP]

KIRAN PURI, Director

पेट्रोलियम एवं प्राकृतिक गैस मंत्रालय

नई दिल्ली, 17 मार्च, 2009

का.आ. 711.—पेट्रोलियम और खनिज, पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खण्ड (क) के अनुसरण में, केन्द्रीय सरकार एतद्वारा 6 अक्टूबर, 2007 को भारत के राजपत्र में प्रकाशित पेट्रोलियम एवं प्राकृतिक गैस मंत्रालय के 28 सितम्बर, 2007 के संख्या का.आ. 2934 में भारत सरकार की अधिसूचना में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना की अनुसूची के कॉलम (1) में, क्र. सं 2 पर "श्री अशोक कुमार, प्रचालन प्रबंधक, मथुरा जालन्धर पाइपलाइन, बिजवासन" शब्दों के स्थान पर "श्री नितिन कुमार गार्ग, उप प्रबंधक (प्रचालन), मथुरा जालन्धर पाइपलाइन, बिजवासन" शब्द रखे जाएंगे।

[सं. आर.-25011/9/2007-ओआर-I]

बी. के. दत्ता, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 17th March, 2009

S.O. 711.—In pursuance of clause (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2934 dated 28th September, 2007, published in the Gazette of India on 6th October, 2007, namely:—

In the said notification, in the Schedule, in column (1) at S1. No.2, for the words "Shri Ashok Kumar, Operations Manager, Mathura Jalandhar Pipeline, Bijwasan" the words, "Shri Nitin Kumar Garg, Deputy Manager (Operations), Mathura Jalandhar Pipeline, Bijwasan" shall be substituted.

[No. R-25011/9/2007-OR-1]

B. K. DATTA, Under Secy.

नई दिल्ली, 18 मार्च, 2009

का.आ. 712.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2623 तारीख 15 सितम्बर, 2008, जो भारत के राजपत्र तारीख 20 सितम्बर, 2008 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गुजरात राज्य में वाडीनार संस्थापन से मध्य प्रदेश राज्य में बीना तक कच्चे पेट्रोलियम उत्पादों के परिवहन के लिए वाडीनार-बीना पाइपलाइन परियोजना के माध्यम से भारत ओमान रिफाइनरीज लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 22 नवम्बर, 2008 को उपलब्ध करा दी गई थीं;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि में पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश

देती है कि उक्त भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लिंगों से मुक्त, भारत ओमान रिफाइनरीज लिमिटेड में निहित होगा।

अनुसूची

तहसील : घटिया	जिला : उज्जैन	राज्य : मध्य प्रदेश	
क्र. सं.	ग्राम का नाम	सर्वे नं.	क्षेत्रफल हेक्टेयर में
(1)	(2)	(3)	(4)
1.	झोकरा	110	0.08
2.	सुतारखेड़ा	144	0.09

[फा. सं. आर-31015/25/2008-ओ आर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 18th March, 2009

S.O. 712.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2623 dated the 15th September, 2008 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India dated the 20th September, 2008, the Central Government declared its intention to acquire the Right of Users in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of Crude Oil through Vadinar-Bina Crude Pipeline Project from Vadinar in the State of Gujarat to Bina in the State of Madhya Pradesh by Bharat Oman Refineries Limited;

And whereas the copies of the said Gazette notification were made available to the public on the 22nd November, 2008;

And whereas the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted its report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the Right of User therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the Right of User in the said land, specified in the Schedule, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government directs that the Right of User in the said land for laying the pipeline shall, instead of vesting in the Central

Government, vest on the date of the publication of this declaration, in Bharat Oman Refineries Limited, free from all encumbrances.

SCHEDULE

Tehsil : Ghatiya	District : Ujjain	State : Madhya Pradesh	
S. No.	Name of Village	Survey No.	Area in Hectare
(1)	(2)	(3)	(4)
1.	Zokra	110	0.08
2.	Sutarkheda	144	0.09

[F.No.R-31015/25/2008-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 18 मार्च, 2009

का.आ. 713.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2447 तारीख 28 अगस्त, 2008, जो भारत के राजपत्र तारीख 30 अगस्त, 2008 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गुजरात राज्य में वाडीनार संस्थापन से मध्य प्रदेश राज्य में बीना तक केच्चे पेट्रोलियम उत्पादों के परिवहन के लिए वाडीनार-बीना पाइपलाइन परियोजना के माध्यम से भारत ओमान रिफाइनरीज लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 27 नवम्बर, 2008 को उपलब्ध करा दी गई थीं;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार, इस घोषणा के

प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगों से मुक्त, भारत ओमान रिफाइनरीज लिमिटेड में निहित होगा।

अनुसूची

तहसील : बड़नगर		जिला : उज्जैन	राज्य : मध्य प्रदेश
क्र. सं.	ग्राम का नाम	सर्वे नं.	क्षेत्रफल हेक्टेयर में
(1)	(2)	(3)	(4)
1.	सुन्दराबाद	192	0.09
		337	0.17
		438	0.41
2.	जलोदसंजर	368	0.15
3.	कमानपुर	21/1-2	0.27
		75	0.10
4.	कल्याणपुरा	187	0.47
5.	मालपुरा	171	0.10

[फा. सं. ओर-31015/15/2008-ओ आर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 18th March, 2009

S.O. 713.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2447 dated the 28th August, 2008 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India dated the 30th August, 2008, the Central Government declared its intention to acquire the Right of User in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of Crude Oil through Vadinar-Bina Crude Pipeline Project from Vadinar in the State of Gujarat to Bina in the State of Madhya Pradesh by Bharat Oman Refineries Limited;

And whereas the copies of the said Gazette notification were made available to the public on the 27th November, 2008;

And whereas the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the Right of User therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the Right of User in the

said land, specified in the Schedule, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government directs that the Right of User in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration, in Bharat Oman Refineries Limited, free from all encumbrances.

SCHEDULE

Tehsil : Badnagar		District : Ujjain	State : Madhya Pradesh
S. No.	Name of Village	Survey No.	Area in Hectare
(1)	(2)	(3)	(4)
1.	Sundrabad	192	0.09
		337	0.17
		438	0.41
2.	Jalodanjar	368	0.15
3.	Kmanpur	21/1-2	0.27
		75	0.10
4.	Klyanpura	187	0.47
5.	Malpura	171	0.10

[F.No. R-31015/15/2008-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 18 मार्च, 2009

का.आ. 714.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2706 तारीख 24 सितम्बर, 2008, जो भारत के राजपत्र तारीख 27 सितम्बर, 2008 में प्रकाशित की गई थी, द्वारा उस अधिसूचना में मंगल अनुसूची में विनिर्दिष्ट भूमि में गुजरात राज्य में वाडीनार संस्थान से मध्य प्रदेश राज्य में बीना तक कच्चे पेट्रोलियम उत्पादों के परिवहन के लिए वाडीनार-बीना पाइपलाइन परियोजना के माध्यम से भारत ओमान रिफाइनरीज लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 22 नवम्बर, 2008 को उपलब्ध करा दी गई थीं;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार का अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

नई दिल्ली, 19 मार्च, 2009

का. आ. 716.—भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि तमिलनाडु राज्य में ए. के. एम. से मेमथूर (वाया नारिमानम) इंटर कनेक्टिविटी तक प्राकृतिक गैस के परिवहन के लिए गेल (इण्डिया) लिमिटेड द्वारा, एक पाइपलाइन बिछाई जानी चाहिए;

और भारत सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध कर दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में, सक्षम प्राधिकारी, गेल (इण्डिया) लिमिटेड, कावेरी बेसिन, 172-कामराजर मार्ग, कारैकल-609 602 को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

जिला	तहसील	गाँव	सर्वे सं.	क्षेत्रफल (हेक्ट. में)
1	2	3	4	5
थिरुवरुर	थिरुवरुर	19-अलिवलम्	129/6	0.02.0
			130/4	0.01.0 जीपी
			130-5	0.01.0
			130-6	0.04.0
			130-7	0.01.5
			18-1	0.05.5
			17-3	0.10.0
			13	0.01.0 जीपी
			कुल	0.26.0
		19-करुप्पूर	285-2सी	0.01.0
			284-2	0.06.0
			283-2ए	0.02.5
			283-2बी	0.02.0
			283-6	0.01.0
			283-5	0.01.0
			283-7	0.01.5
			282-2	0.02.5
		282-3ए	282-3ए	0.01.5
			282-3बी	0.06.0

1	2	3	4	5
थिरुवरुर	थिरुवरुर	19-करुप्पूर (जारी)	281-1 280 284-1	0.06.5 0.06.0 0.01.0 जीपी
			कुल	0.38.5
		17-अडियक-मंगलम्	290-1एल 290-2 289 281-1 281-2 281-3ए 281-4 2-1 2-2 2-3 1 292-2 292-4 292-6 292-8 271-1 271-2	0.04.0 0.02.0 0.01.0 जीपी 0.02.0 0.02.0 0.01.5 0.04.0 0.01.5 0.01.0 जीपी 0.02.5 0.09.0 0.02.5 0.02.0 0.02.0 0.01.0 0.05.0 0.15.0
				0.07.0
			272	0.05.5
			266	0.05.5 जीपी
			265-2	0.20.5
			265-7	0.02.0
			252-4ए2	0.16.5
			252-5ए	0.04.0
			249	0.01.0 जीपी
			243-1	0.01.5
			243-3ए	0.01.0
			243-2ए	0.03.5
			243-2बी	0.02.5
			कुल	1.28.5
		11-कल्लिकुडी	279बी	0.02.0 जीपी
			178-11	0.02.0
			178-20	0.03.0
			179-1	0.01.5
			176-2	0.01.0 जीपी
			174-5	0.01.0
			174-6	0.01.0
			173-12	0.03.0
			173-18	0.02.0
			172-4	0.01.0
			172-9	0.01.0

1	2	3	4	5	1	2	3	4	5	
थिरुवरुर	थिरुवरुर	11-कल्लिकुडी (जारी)	172-8 168-3 164-1ए 164-1बी1 164-1बी2 164-3 164-4 162-5बी 162-7 167-5 180-बी 183-6 183-1बी 183-7 192-1 192-2 192-6 192-8 193-1ए 195-4 193-2 195-2 195-1सी 195-5बी 197-7 197-8 211-4 211-5 210-6ए 210-6बी 210-6सी 210-4 210-5 209-8ए 209-8बी 209-9 209-7	0.02.0 0.02.5 0.02.0 0.03.5 0.00.5 0.00.5 0.00.5 0.01.5 0.05.5 0.01.0जीपी 0.01.0जीपी 0.02.5 0.05.5 0.01.0जीपी 0.03.0 0.02.0 0.02.0 0.02.0 0.01.5 0.02.0 0.04.0 0.01.0जीपी 0.01.0 0.03.0 0.01.0जीपी 0.04.0 0.01.0 0.03.0 0.01.5 0.01.0 0.01.0 0.00.5 0.00.5 0.02.0 0.02.0		नागपट्टीनम्	किल्वेलूर	9-कुरुमन्नगुडी	148-4 148-3 148-2बी 147-1डी 147-1ई 145-3 145-2ए 145-2बी 145-6 147-2 145-5 145-4 126-ए 106 107-4 107-5बी 105-21 101-1 102-1 102-3 88-1 87-1 87-3 87-6 87-5 86-2 86-3बी	0.06.5 0.01.0जीपी 0.06.0 0.04.5 0.01.0 0.02.5 0.01.5 0.02.0 0.04.5 0.00.5जीपी 0.00.5जीपी 0.00.5जीपी 0.00.5जीपी 0.00.5जीपी 0.00.5जीपी 0.01.0जीपी 0.02.5 0.00.5 0.05.5 0.08.0 0.01.0जीपी 0.01.0 0.06.0 0.03.0 0.03.0 0.01.0 0.04.0 0.01.0जीपी
								कुल	0.94.0	
					थिरुवरुर	थिरुवरुर	18-सेमंगलम्	223 222 225-2ए 225-2बी 226-1 226-2 226-3 226-4 228-1 230-3 26 25-5 27-1 24-1 24-3 24-11बी 24-12 23-2 28-1 8-15 8-14 16-बी 252-1	0.01.5जीपी 0.01.0 0.01.5 0.02.0 0.01.0 0.04.0 0.03.5 0.03.0 0.04.0 0.01.5जीपी 0.04.5 0.01.0 0.01.0जीपी 0.01.5 0.02.0 0.02.0 0.01.0 0.04.0 0.01.5 0.01.0 0.01.0जीपी 0.02.5जीपी	
								कुल	0.51.0	
नागपट्टीनम्	किल्वेलूर	9-कुरुमन्नगुडी	188 178-1ए 178-1बी 177-4 177-3 177-5 177-6 177-7ए 177-7बी 175-8 174 159ए-10 159ए-11ए 159A-11बी 159ए-2	0.01.0जीपी 0.06.0 0.01.5 0.04.0 0.01.0जीपी 0.00.5जीपी 0.01.0 0.01.0 0.01.0 0.01.0 0.00.5जीपी 0.02.0 0.02.0 0.01.0 0.01.0						

1	2	3	4	5	1	2	3	4	5
नागपट्टिनम्	किल्चेलूर	8-ऐरवन्चेरी	149-2बी	0.00.5	नागपट्टिनम्	किल्चेलूर	25/3-वडकु- वेली	323-1	0.01.0 जीपी
			149-3	0.02.0				323-2	0.08.0
			149-4	0.01.0				324-1	0.06.0
			149-5	0.01.0				325	0.07.0
			149-6	0.01.0				318	0.01.0 जीपी
			149-8	0.01.0				316	0.14.0
			149-11	0.01.0				315	0.16.5
			149-12	0.01.0				314-1	0.04.0 जीपी
			147-1	0.04.0				314-2	0.01.0 जीपी
			147-2	0.02.0				कुल	0.58.5
			149-13	0.01.0			20-अन्नै-	94	0.08.5 जीपी
			149-7	0.01.5 जीपी			मंगलम्	96-2	0.42.0
			149-10	0.02.5				245-2	0.24.5
			147-3	0.02.5				244-1	0.03.0
			146-1	0.2.5				244-2	0.05.0
			146-2	0.03.0				245-1	0.04.5
			146-4	0.03.0				242-2	0.04.5
			66	0.02.0 जीपी				247	0.23.5
			68-3	0.00.5				249-1	0.01.0 जीपी
			195-3	0.03.0				249-2ए	0.04.5
			195-4ए	0.02.0				249-2बी	0.12.5
			195-4बी	0.01.0				249-2डी	0.00.5
			196-2	0.05.0				249-2सी	0.15.0
			197-1	0.01.5				252-1	0.00.5 जीपी
			197-2ए	0.02.5				252-2	0.00.5
			197-2बी	0.01.0				253-1	0.04.5
			197-3	0.02.0				253-2	0.03.5
			198-1	0.01.0 जीपी				253-3	0.12.5
			198-2	0.02.5				269-1	0.19.0
			198-3	0.03.0				269-2	0.00.5
			198-6	0.05.0				271-1	0.00.5 जीपी
			67बी	0.01.0 जीपी				271-2	0.16.5
			68-1	0.04.0				271-3	0.11.0
			68-2	0.03.5				272-5	0.03.0
			1	0.29.5				272-11	0.14.5
			7-2ए	0.21.0				272-6	0.01.0 जीपी
			7-2बी	0.10.0				272-12	0.01.0 जीपी
			7-4	0.02.0				267	0.06.0 जीपी
			7-3	0.07.5				17-डी-1	0.01.0 जीपी
			7-1	0.01.0 जीपी				17डी-2	0.00.5
			कुल	1.40.5				17डी-5	0.22.5 जीपी
		25-अगरा-	376-2	0.08.0				231-1	0.00.5 जीपी
		कडम्बन्नूर						231-2	0.00.5
			376-1	0.01.0 जीपी				231-4	0.05.0
			375-1	0.02.0				232-1	0.20.0
			375-2	0.02.0				232-2	0.17.0
			383	0.02.5				232-3	0.06.0
			295	0.05.0				232-4	0.02.5
			294	0.07.5				कुल	3.19.0
			293-1	0.02.0					
			293-2	0.01.0 जीपी					
			कुल	0.3.1.0					

1	2	3	4	5	1	2	3	4	5
नागपट्टिनम्	किल्बेलूर	2-ओक्कूर	126-1बी	0.02.0	नागपट्टिनम्	किल्बेलूर	2-ओक्कूर	286-10	0.01.0
			126-2	0.00.5 जीपी				284-4	0.11.0
			127-1	0.04.5				278-1ए	0.02.0
			127-2	0.01.5				278-3	0.03.5
			112	0.05.0				277-4	0.03.0
			111-2	0.03.0				277-5	0.12.0
			110	0.09.0				278-1बी	0.02.0
			107-2	0.00.5				278-4	0.05.5
			108-1	0.00.5 जीपी				278-5	0.03.5
			108-2	0.00.5 जीपी				278-6	0.02.0 जीपी
			71-1	0.01.0				277-2ए	0.01.0
			71-2	0.02.5				277-2बी	0.13.0
			71-3	0.02.0				277-3ए	0.01.0
			71-4	0.00.5				276	0.03.0 जीपी
			74-1	0.04.5				255-1	0.16.0
			73	0.03.0 जीपी				255-2	0.01.0
			75-2	0.00.5 जीपी				255-4	0.05.5
			75-3	0.00.5 जीपी				255-5	0.01.0
			76	0.06.5				255-3	0.10.0
			78-1	0.00.5 जीपी				254-1	0.26.0
			78-2	0.00.5 जीपी				253-1बी	0.05.0
			78-3	0.00.5 जीपी				252-6ए	0.02.5
			81-1	0.01.5				कुल	2.65.5
			81-2	0.00.5 जीपी				3-वैल्किडगल	110
			82-2	0.06.5				103-1बी	0.01.0 जीपी
			20-1बी	0.04.0				103-2	0.00.5
			20-1सी	0.01.5				104-1	0.02.0
			20-3ए	0.03.0				104-2	0.03.0
			20-2	0.00.5				102	0.01.5 जीपी
			234	0.03.0 जीपी				97-3	0.04.5
			220-4ए	0.03.5				95-1	0.01.0
			220-4बी	0.05.0				96-1	0.02.5
			220-4सी	0.05.5				96-3	0.05.5
			209-2ए	0.01.5				96-2	0.00.5 जीपी
			209-2बी	0.01.5				94	0.01.0 जीपी
			218-2	0.06.0				93-1	0.04.5
			218-3ए	0.02.0				93-2ए	0.01.0
			221-2	0.06.0				77-1	0.00.5 जीपी
			221-4	0.01.0				73-1	0.02.0
			210-2	0.00.5				42	0.00.5 जीपी
			210-1	0.00.5 जीपी				40-4	0.00.5
			216-1	0.02.0				39	0.00.5 जीपी
			216-3	0.03.0				38-1ए	0.03.0
			216-2	0.02.5				38-1बी	0.03.5
			211-1	0.03.0				37	0.00.5 जीपी
			213	0.01.0				36-3	0.03.0
			212-3	0.02.5				36-4	0.01.5
			212-4	0.02.0				36-5	0.01.5
			131	0.07.0				34-2बी	0.02.5
			132	0.05.5				34-2सी	0.01.0
			129	0.01.0 जीपी					
			286-2	0.03.0 जीपी					

1	2	3	4	5
नागपट्टीनम्	किल्चेलूर	वेन्किडंगल	34-3	0.00.5 जीपी
			28-1ए	0.03.0
			33-2ए2	0.01.0
			33-2बी1	0.04.0
			33-2बी3	0.02.0
			33-2बी2	0.01.5
			32-2बी	0.04.0
			32-3	0.02.0
			32-9ए	0.00.5
			32-5	0.00.5
			32-8	0.00.5
			32-10ए	0.00.5
			32-11	0.00.5
			31-1	0.02.5
			31-2	0.05.5
			15-6	0.01.5
			15-7	0.05.5
			25	0.01.0 जीपी
			24-1	0.03.5
			16-2	0.01.5
			16-3ए	0.05.0
			16-3बी	0.06.0
			2-7ए	0.00.5
			2-7बी	0.00.5
			2-5	0.00.5
			2-6	0.02.5
			1	0.00.5 जीपी
			कुल	1.06.0
नागपट्टीनम्	122-नारिमानम्		6-4	0.04.0
			6-5	0.03.5
			5-1	0.01.0
			7-1	0.02.5
			2-4	0.03.5
			6-3	0.00.5
			7-4ए	0.00.5
			8-4-2	0.01.0 जीपी
			2-1	0.00.5 जीपी
			4	0.01.0 जीपी
			कुल	0.18.0
50-कुथालम्	126-1ए2			0.14.0
	128-3बी			0.01.0
	128-5			0.02.5
	128-4			0.03.0
	128-1			0.01.0 जीपी
			कुल	0.21.5

[फा. सं. एल-14014/31/2008-जी.पी.]

के. के. शर्मा, अवर सचिव

New Delhi, the 19th March, 2009

S.O. 716.—Whereas it appears to the Government of India that it is necessary in the public interest that for transportation of natural gas from AKM to Memathur (via Narimanam) Interconnection gas pipeline project in the State of Tamil Nadu, a pipeline should be laid by the GAIL (India) Limited;

And, whereas it appears to Government of India that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification issued under Sub-section (1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the laying of the pipeline under land to Competent Authority, GAIL (India) Limited, Cauvery Basin, 172-Kamarajar Road, Karaikal-609 602.

SCHEDULE

District	Taluk	Village No. and Name	Survey No.	Area in Hect.
1	2	3	4	5
Thiru-varur	Thiru-varur	19. Alivalam	129/6	0.02.0
			130/4	0.01.0 G.P.
			130-5	0.01.0
			130-6	0.04.0
			130-7	0.01.5
			18-1	0.05.5
			17-3	0.10.0
			13	0.01.0 G.P.
			Total	0.26.0
		19/1 Karup-pur	285-2C	0.01.0
			284-2	0.06.0
			283-2A	0.02.5
			283-2B	0.02.0
			283-6	0.01.0
			283-5	0.01.0
			283-7	0.01.5

1	2	3	4	5	1	2	3	4	5
Thiru- varur	Thiru- varur	19/1 Karup- pur	282-2 282-3A 282-3B 281-1 280 284-1	0.02.5 0.01.5 0.06.0 0.06.5 0.06.0 0.01.0 G.P.	Thiru- varur	Thiru- varur	11. Kalli- kudi	173-12 173-18 172-4 172-9 172-8 168-3 164-1A1 164-1B1 164-1B2 164-3 164-4 162-5B 162-7 167-1 180B 183-6 183-1B 183-7 192-1 192-2 192-6 192-8 193-1A 195-4 193-2 195-2 195-1C 195-5B 197-7 197-8 211-4 211-5 210-6A 210-6B 210-6C 210-4 210-5 209-8A 209-8B 209-9 209-7	0.03.0 0.02.0 0.01.0 0.01.0 0.02.0 0.02.5 0.02.0 0.03.5 0.00.5 0.00.5 0.00.5 0.01.5 0.01.0 G.P. 0.01.0 G.P. 0.02.5 0.05.5 0.01.0 G.P. 0.03.0 0.02.0 0.02.0 0.02.0 0.01.5 0.02.0 0.04.0 0.01.0 G.P. 0.01.0 0.03.0 0.03.5 0.01.0 G.P. 0.04.0 0.01.0 0.03.0 0.01.5 0.01.0 0.01.0 0.00.5 0.00.5 0.02.0 0.02.0
			Total	0.38.5					
		17. Adiya- kkamana- galam	290-1L 290-2 289 281-1 281-2 281-3A1 281-4 2-1 2-2 2-3 1 292-2 292-4 292-6 292-8 271-1 271-2	0.04.0 0.02.0 0.01.0 G.P. 0.02.0 0.02.0 0.01.5 0.04.0 0.01.5 0.01.0 G.P. 0.02.5 0.09.0 0.02.5 0.02.0 0.02.0 0.01.0 0.05.0 0.15.0					
				0.07.0 272 266 265-2 265-7 252-4A2 252-5A 249 243-1 243-3A 243-2A 243-2B	0.02.5 0.02.5 0.02.0 0.02.0 0.02.0 0.01.0 0.05.5 0.05.5 G.P. 0.20.5 0.02.0 0.16.5 0.04.0 0.01.0 G.P. 0.01.5 0.01.0 0.03.5 0.02.5				
			Total	1.28.5					
		11. Kalli- kudi	279B 178-11 178-20 179-1 176-2 174-5 174-6	0.02.0 G.P. 0.02.0 0.03.0 0.01.5 0.01.0 G.P. 0.01.0 0.01.0					
					Naga- Pattinam	Kilvelur	9. Kuruma- nangudy	188 178-1A 178-1B 177-4 177-3	0.01.0 G.P. 0.06.0 0.01.5 0.04.0 0.01.0 G.P.

1	2	3	4	5	1	2	3	4	5	
Naga-Pattinam	Kilvelur	9. Kurumanangudy	177-5 177-6 177-7A 177-7B 175-8 174 159A-10 159A-11A 159A-11B 159A-2 148-4 148-3 148-2B 147-1D 147-1E1 145-3 145-2A 145-2B 145-6 147-2 145-5 145-4 126-A 106 107-4 107-5B 105-21 101-1 102-1 102-3 88-1 87-1 87-3 87-6 87-5 86-2 86-3A Total	0.00.5 G.P. 0.01.0 0.01.0 0.01.0 0.01.0 0.0.5 G.P. 0.02.0 0.02.0 0.01.0 0.01.0 0.06.5 0.01.0 G.P. 0.06.0 0.04.5 0.01.0 0.02.5 0.01.5 0.02.0 0.04.5 0.00.5 G.P. 0.00.5 G.P. 0.00.5 G.P. 0.00.5 G.P. 0.00.5 G.P. 0.01.0 G.P. 0.02.5 0.00.5 0.05.5 0.08.0 0.01.0 G.P. 0.01.0 0.06.0 0.03.0 0.03.0 0.01.0 0.04.0 0.01.0 G.P. 0.94.0		Thiru-varur	Thiru-varur	18. Semangalam	24-1 24-3 24-11B 24-12 23-2 28-1 8-15 8-14 16-B 252-1 Total	0.01.0 G.P. 0.01.5 0.02.0 0.02.0 0.01.0 0.04.0 0.01.5 0.01.0 0.01.0 G.P. 0.02.5 G.P. 0.51.0
					Naga-Pattinam	Kilvelur	8. Eravancheri	149-2B 149-3 149-4 149-5 149-6 149-8 149-11 149-12 147-1 147-2 149-13 149-7 149-10 147-3 146-1 146-2 146-4 66 68-3 195-3 195-4A 195-4B 196-2 197-1 197-2A 197-2B 197-3 198-1 198-2 198-3 198-6 67B 68-1 68-2 1 7-2A 7-2B 7-4 7-3 7-1 Total	0.00.5 0.02.0 0.01.0 0.01.0 0.01.0 0.01.0 0.01.0 0.01.0 0.04.0 0.02.0 0.01.0 0.01.5 G.P. 0.00.5 G.P. 0.02.5 0.0.5 0.03.0 0.03.0 0.02.0 G.P. 0.00.5 0.03.0 0.02.0 0.01.0 0.05.0 0.01.5 0.02.5 0.01.0 0.02.0 0.01.0 G.P. 0.02.5 0.03.0 0.03.0 0.05.0 0.01.0 G.P. 0.04.0 0.03.5 0.29.5 0.21.5 0.10.0 0.02.0 0.07.5 0.01.0 G.P. 1.40.5	
Thiru-varur	Thiru-varur	18. Semangalam	223 222 225-2A 225-2B 226-1 226-2 226-3 226-4 228-1 230-3 26 25-5 27-1	0.01.5 G.P. 0.01.0 0.01.5 0.02.0 0.01.0 0.04.0 0.03.5 0.03.0 0.04.0 0.01.5 G.P. 0.04.5 0.01.0						

1	2	3	4	5	1	2	3	4	5
Naga-Pattinam	Kilvelur (Contd.)	2 Okkur (Contd.)	213	0.01.0	Naga-Pattinam	Kilvelur	3. Venki-dangal	36-4	0.01.5
			212-3	0.02.5				36-5	0.01.5
			212-4	0.02.0				34-2B	0.02.5
			131	0.07.0				34-2C	0.01.0
			132	0.05.5				34-3	0.00.5 G.P.
			129	0.01.0 G.P.				28-1A	0.03.0
			286-2	0.03.0 G.P.				33-2A2	0.01.0
			286-10	0.01.0				33-2B1	0.04.0
			284-4	0.11.0				33-2B3	0.02.0
			278-1A	0.02.0				33-2B2	0.01.5
			278-3	0.03.5				32-2B	0.04.0
			277-4	0.03.0				32-3	0.02.0
			277-5	0.12.0				32-9A	0.00.5
			278-1B	0.02.0				32-5	0.00.5
			278-4	0.05.5				32-8	0.00.5
			278-5	0.03.5				32-10A	0.00.5
			278-6	0.02.0 G.P.				32-11	0.00.5
			277-2A	0.01.0				31-1	0.02.5
			277-2B	0.13.0				31-2	0.05.5
			277-3A	0.01.0				15-6	0.01.5
			276	0.03.0 G.P.				15-7	0.05.5
			255-1	0.16.0				25	0.01.0 G.P.
			255-2	0.01.0				24-1	0.03.5
			255-4	0.05.5				16-2	0.01.5
			255-5	0.01.0				16-3A	0.05.0
			255-3	0.10.0				16-3B	0.06.0
			254-1	0.26.0				2-7A	0.00.5
			253-1B	0.05.0				2-7B	0.00.5
			252-6A	0.02.5				2-5	0.00.5
			Total	2.65.5				2-6	0.02.5
								1	0.00.5 G.P.
		3. Venki-dangal	110	0.01.0				Total	1.06.0
			103-1B	0.01.0 G.P.				64	0.04.0
			103-2	0.00.5					
			104-1	0.02.0				6-5	0.03.5
			104-2	0.03.0				5-1	0.01.0
			102	0.01.5 G.P.				7-1	0.02.5
			97-3	0.04.5				2-4	0.03.5
			95-1	0.01.0				6-3	0.00.5
			96-1	0.02.5				7-4A	0.00.5
			96-3	0.05.5				84-2	0.01.0 G.P.
			96-2	0.00.5 G.P.				2-1	0.00.5 G.P.
			94	0.01.0 G.P.				4	0.01.0 G.P.
			93-1	0.04.5				Total	0.18.0
			93-2A	0.01.0				50. Kutha-lam	126-1A2
			77-1	0.00.5 G.P.					0.14.0
			73-1	0.02.0					128-3B
			42	0.00.5 G.P.					0.01.0
			40-4	0.00.5					128-5
			39	0.00.5 G.P.					0.02.5
			38-1A	0.03.0					128-4
			38-1B	0.03.5					0.03.0
			37	0.00.5 G.P.					128-1
			36-3	0.03.0					0.01.0 G.P.
								Total	0.21.5

[F. No. L-14014/31/08-G.P.]

K. K. SHARMA, Under Secy.

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 19 फरवरी, 2009

क्र.आ. 717.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ये ईस्टर्न कोलफिल्ड्स लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय संख्या-1, धनबाद के पंचाट (संदर्भ संख्या 59/1994) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-02-2009 को प्राप्त हुआ था।

[सं. एल-20012/247/93-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 19th February, 2009

S.O. 717.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 59/1994) of the Central Government Industrial Tribunal/ Labour Court, No. 1, Dhanbad now as shown in the annexure, in Industrial Dispute between the employers in relation to the management of M/s. Eastern Collieries Ltd. and their workman which was received by the Central Government on 19-02-2009.

[No. L-20012/247/93-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO 1, DHANBAD**

In the matter of reference U/s. 10 (1) (d) (2A) of I.D. Act.

Reference No. 59 of 1994.

Parties : Employers in relation to the management of M/s. Eastern Coalfields Ltd. Nirsha Colliery.

AND

Their workmen.

Present : Shri B.M. Singh, Presiding Officer.**APPEARANCES :**

For the Employers : Shri B.M. Prasad, Advocate.
For the workmen : Shri D. Mukherjee, Advocate.
State : Jharkhand. : Industry : Coal.

Dated, the February, 2009.

AWARD

By Order No. L-20012/247/93-IR (C-I) dated 24-3-1994 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of management of M/s. Eastern Coalfields Ltd., Kepsara Area in relation to Nirsha Colliery in terminating the services of Shri Jadunandan Shaw, Driver w.e.f. 13-1-92 is justified?”

If not, what relief the concerned workman entitled to?”

2. The concerned workman has filed written statement stating therein that he was working as permanent Driver at Nirsha Colliery since long with unblemished record of service. The management was very much biased and prejudiced against the Janta Mazdoor Sangh. The management was very much biased and prejudiced against the concerned workman for his union activities. He was the Joint Secretary of local Branch of Janta Mazdoor Sangh and the management with an ulterior motive to victimise the concerned workman issued a false and frivolous charge-sheet. The Dy. C.M.E. issued a charge-sheet to the concerned workman on 19/20-3-93 for an alleged offence committed allegedly by the concerned workman on 19-3-91. The Dy. C.M.E. vide aforesaid charge-sheet had levelled charges against the concerned workman for allegedly abusing the Dy. C.M.E. and for alleged intention to assault and for the same facismile charges charge-sheet was issued to Ramdeo Rai, Dumper Operator, Kepsara O.C.P., Bijay Kumar Singh, Attendance Clerk, Khudia OCP, Nagendra Singh, Dumper Operator, Barmuri Project, S.K. Pati, Shovel Operator, Nirsha Colliery. For the same facismile offence the Dy. C.M.E. had also lodged an F.I.R. before the Officer Incharge, Nirsha Police Station. The concerned workman submitted his reply denying the charges emphatically and though the explanation of the concerned workman was satisfactory enough still then the management appointed a biased and prejudiced officer to conduct the empty formalities. The concerned workman represented before the management to postpone the enquiry till the finalisation of the criminal case but the anti-labour management did not pay any heed to the repeated prayer of the workman and the prejudiced and biased Enquiry Officer completed the empty formalities in violation of the principle of natural justice. Even in the invalid and irregular domestic enquiry the charges against the concerned workman were not established still then the concerned workman was dismissed by the General Manager who has got no authority to dismiss the concerned workman. In the departmental enquiry the concerned workman was not afforded full opportunity to cross-examine the management's witness and to adduce full defence. The dismissal of the concerned workman was illegal, arbitrary, unjustified and against the principle of natural justice. Seeing no other alternative the Union raised an industrial dispute before the A.L.C. (C) but the same ended in failure due to the adamant attitude of the management. Thereafter, the Government of India, Ministry of Labour referred the dispute for adjudication to this Tribunal. It has been prayed that the reference be answered in favour of the workman by directing the management to re-instate the concerned workman with full back wages.

3. Written Statement has been filed on behalf of the management stating that the concerned workman, Jadunandan Sao was employed at Nirsha Colliery and he was issued chargesheet vide memo No. ECL/NC/AGT/F/91/615 dated 19/20-3-91 for the misconduct that on 19-3-91 while the Agent was doing official work in the sectional office of B.P. Quarry the concerned workman, Jadunandan

Sao alongwith Arun Kumar Singh alias Chattan Singh, Area Secretary, Janta Majdoor Sang, S.K.Pati, shovel Operator working as Fitter of Nirsa Colliery and others entered in the office in a furious mood at 11 A.M. and started demanding to withdraw the charge-sheet issued to S.K.Pati, Shovel Operator. When the Agent did not agree the concerned workman threatened the Agent with dire consequences, if charge-sheet is not withdrawn. The concerned workman forwarded towards the agent with an intention to assault him using filthy languages such as, "SALA AGENT KO AAJ JOOTA SE MARENGE", but timely intervention of R.S. Upadhyaya, Mining Sirdar of Nirsa Colliery the assault was averted. The concerned workman was charged under Para 17(i) (r) & (t) of the Model Standing Order applicable to the Coal Mining Industries and he was asked to explain within 48 hours as to why disciplinary action should not be taken against the concerned workman for his above misconduct, and he was suspended with immediate effect pending enquiry. Alongwith the concerned workman other workman, namely, Nagender Singh, Ramdeo Singh Roy, Bijay Singh and S.K.Pati were also chargesheeted on their committing the identical misconduct. All the charge-sheeted workman submitted their explanation individually which not being found satisfactory the management appointed an Enquiry Officer to conduct an enquiry into the chargesheet issued to the concerned workman. The Enquiry Officer held a joint enquiry in which the concerned workman participated. In the enquiry the concerned workman were given full opportunity to cross-examine the managements witnesses and to produce defence witnesses. In the enquiry the charges levelled against the workman concerned were fully established. The Enquiry Officer submitted his report accordingly. On the basis of the enquiry report and after considering the gravity of misconduct committed by the concerned workman, he was dismissed from service by the competent authority.

In rejoinder the management has stated more or less same thing as has been stated in the written statement.

4. In rejoinder in reply to the written statement of the management, it has also been stated that the concerned workman has not abused any officer of the management or Agent nor he has threatened the Agent. The chargesheet is contrary to the provision of law and it has been said that the concerned workman was victimised for his trade union activities.

5. The concerned workman has produced WW-1 Jadunandan Sao and also proved Exts. W1/1 and W-1/2.

The management has produced MW-1 D.Kumar and he has proved proceedings of enquiry and report as Exts. M-1 to M-5 formal proof being dispensed with.

6. Regarding fairness of enquiry, vide order dated 28-3-2000 it was found that the domestic enquiry conducted by the management is fair and proper.

7. Learned counsel of the workman argued that the chargesheet has been issued by Dy. C.M.E. who is not competent officer. No provision has been shown by the concerned workman that the Dy. C.M.E. is not competent person to issue chargesheet. Another argument advanced on behalf of the workman that the Dy. C.M.E. has issued

chargesheet, who has no authority. There is no force in the argument of the learned counsel of the workman.

8. Learned counsel of the workman referred 1984 (I) LLJ-546 in which Hon'ble Supreme Court laid down that when the Labour Court held that the domestic enquiry was fair and proper and finding of the Enquiry Officer was perverse on the ground that the Enquiry Officer had neglected and failed to summon necessary witness on the request of the workman for challenging those witnesses and the Labour Court found that the punishment of dismissal was disproportionate to the gravity of the charge framed against him and that he is entitled to reinstatement with full back wages and continuity of service.

9. In the present case the domestic enquiry was found fair and proper, but there is no such evidence that the concerned workman has moved any application for summoning necessary witness and which has been rejected by the Enquiry Officer, rather, WW-1 in his cross-examination admitted that "During enquiry I was present for one day and I had put my signature on the proceeding file on that date, marked Exts.W-1/1. This is also my signature, marked Ext.W-1/2. On other pages of enquiry proceeding also my signature appear. I was present during enquiry proceeding. Witnesses were examined in my presence. I also cross-examined the witnesses. FIR was lodged against me alleging for assault and abused to Dy. C.M.E. Domestic enquiry was held for alleged occurrence of cause assault and abused to Dy. C.M.E. I have no dispute or quarrel with the Enquiry Officer." So, it shows that the enquiry was fair and proper and all opportunities have been given to the concerned workman for cross-examination of witnesses of the management.

10. In the present case the concerned workman has stated in his reply as well as in his written statement that he was Joint Secretary of Janta Mazdoor Sangh and active member of the union. It shows that he instigated other workman also for abusing and threatening to management's officer, Dy. C.M.E. with dire consequences for which chargesheet against S.K. Pati was issued. It shows that the concerned workman due to his trade union activities he abused Dy. C.M.E. with co-worker which cannot be compared with the case referred above.

11. Learned counsel of the workman also referred in C.L.R. 1991 page 61 (SC)-1991 (I) LLJ-29 in which Hon'ble Supreme Court laid down that supply of copy of the inquiry report alongwith recommendations, if any, in the matter of proposed punishment to be inflicted would be within the rules of natural justice and the delinquent would therefore be entitled to the supply of a copy thereof and that the forty second Amendment has not brought about any change in this position.

In this respect learned counsel of the management referred (2001) 6 Supreme Court cases 392 in which the Hon'ble Supreme Court laid down that for furnishing copy of enquiry report-Nature of, and effect of non-compliance with -Such a rule, held, is procedural and mandatory. The Hon'ble Supreme Court further laid down that the delinquent seeking the order of his dismissal to be quashed on the ground of non-compliance with the said provision, held

must show that he was prejudiced thereby- otherwise the said omission would not be fatal to the impugned order. In the present case it has not been shown by the concerned workmen that due to non-compliance of giving copy of enquiry report he was in any way prejudiced.

12. Learned counsel of the workmen referred 1989 Lab. I.C. 1043 in which Hon'ble Supreme Court laid down that disciplinary enquiry found to be fair and lawful and its findings were not vitiated in any matter that by itself would not be ground for non-interference with order of termination of service by Labour Court.

13. Learned Counsel of the management referred AIR 1996 Supreme Court 1669 in which Hon'ble Supreme Court laid down Principles to be followed in context of disciplinary enquiries and order of punishment imposed by employer upon employee regarding natural justice. Natural justice means - Substantial compliance with rules- Copies of Statements of two witnesses not supplied to delinquent. However, he was permitted to peruse them and take notes therefrom more than three days prior to their explanation- No objection raised by delinquent-It cannot be said that he had no fair hearing or enquiry against him was not fair enquiry.

As per discussions it shows that the conduct of the concerned workman, being Joint Secretary of local branch of Janta Mazdoor Sangh, he with other co-workers abused senior officer of the management and Dy. C.M.E. and also tried to mishandle him and threatened Dy. C.M.E. with dire consequences and due to intervention of Sri R.S. Upadhyaya, Mining Sirdar, the assault was averted. F.I.R. was also lodged against the concerned workman as well as his co-worker. As per his statement in cross-examination the concerned workman has fully participated in the enquiry and cross-examined the management's witnesses and accordingly the enquiry was held fair and proper vide order dated 28-3-2000.

14. Accordingly, considering the above facts and circumstances, I pass the following award:- The action of the management of M/s. Eastern Coalfields Ltd., Kapasara Area in relation to Nirsha colliery in terminating the service of Shri Jadunanadan Shaw, Driver, w.e.f. 13-1-92 is justified and the concerned workman is not entitled to any relief.

H.M.SINGH, Presiding Officer

नई दिल्ली, 23 फरवरी, 2009

का.आ. 718.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं भारतीय खाद्य निगम के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (एल.सी. संख्या 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, & 203/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-02-2009 को प्राप्त हुआ था।

[सं. एल-22013/1/2009-आई आर (सी- II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 23rd February, 2009

S.O. 718.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (L.C. Nos. 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, & 203/2002) of the Central Government Industrial Tribunal cum-Labour Court, Hyderabad as shown in the Annexure, in Industrial Dispute between the employers in relation to the management of Food Corporation of India and their workman which was received by the Central Government on 23-02-2009.

[No. L-22013/1/2009-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

Present:- Shri Ved Prakash Gaur, Presiding Officer

Dated the 28th day of January, 2009

INDUSTRIAL DISPUTES L.C. Nos. 189, 190, 191, 192,
193, 194, 195, 196, 197, 198, 199, 200, 201, 202, &
203/2002

Between:

Sl. No.	LCID No.	Name of the Petitioner	Father of the Petitioner	Identity card No. of Petitioner
1.	189/2002	Shaganti Elisha	Salaiah	13624
2.	190/2002	Macharla Devaiah	Komuraiah	—
3.	191/2002	Polepaka Swamy	Komuraiah	13626
4.	192/2002	Immadi Yellaswamy	Uppalaiah	—
5.	193/2002	Madugula Ismail	Mallaiah	—
6.	194/2002	Rajarapu Swamy	Pedda Venkataiah	—
7.	195/2002	Chityala Chinna Raju	Suraiah	13628
8.	196/2002	Mydam Venkata Swamy	Yellaiah	13619
9.	197/2002	Gadda Ravi	Ilaiah	—
10.	198/2002	Namindla Komuraiah	Kanakaiah	3621
11.	199/2002	Pindi Babu	Kanakaiah	—
12.	200/2002	Macharla Venkatesham	Gattaiah	13
13.	201/2002	Yerra Babu	Yakaiah	—
14.	202/2002	Katkoori Komuraiah	Yellaiah	13622
15.	203/2002	Macharla Upender	Ratnam	13629

All these 15 petitioners are represented by,
Sri R. Srihari Swamy, Advocate,
D. No. 14-1-61, Venu Rao Colony,
Warangal.Petitioners

AND

1. The Manager,
Food Corporation of India,
Depot Kazipet of Warangal District.
2. The President,
Hamali Labour Contract Co-operative
Society Limited, Kazipet.
Warangal District.

— Respondents

Appearances:

- For the Petitioner : M/s. R. Srihari
Swamy & V,
Lalitha, Advocates
- For the Respondent : M/s. B.G. Ravindra Reddy &
B.V. Chandra Sekhar,
Advocates for R1
M/s. Satwath Rana & Mohd.
Salahuddin, Advocates for R2

COMMON AWARD

All the above cases were taken under Sec. 2A (2) of the I.D. Act, 1947 in view of the judgment of the Hon'ble High Court of Andhra Pradesh reported in W.P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. The above 15 cases have been filed by the Petitioners of those cases challenging their oral termination from service by order dated 20th February, 1998 and declaring the termination order as null and void and to order for the reinstatement of the above workmen in the service with all consequential benefits.

3. It has been submitted by the Petitioner Shaganti Elisa the first workman in LC 189/2002 that he and other Petitioners of cases mentioned above are the workmen who has worked as Hamali with the depot of Food Corporation of India for more than 3 years, the 1st Petitioner has mentioned his identity card as 13624 dated 18-1-1997 and has stated that he was discharging his duties up to the mark to the satisfaction of department. All of a sudden on 20-2-1998, the Respondent No. 1 terminated the services of the Petitioner and some other workmen under the suggestion of suspension of the work which amounts to termination of the service. It has been alleged that there was less capacity of work transport. The Respondent advised the Petitioners and some others that they are going to recruit for their work soon after getting the instructions from their higher ups. After receiving the work increasing capacity of the present transport department, it is alleged that the Petitioners have been suffering from unemployment right from the date of mentioning of their suggestion. The act of the Respondent is illegal. It has been submitted by the Petitioners that they are permanent workers of Respondent and have worked for more than 3 years under the Respondent, as such they are entitled for the terminal benefits from the Respondent. No notice has been issued prior to termination of service, as such the Petitioners are

entitled for the allowances of notice pay along with back wages. The Petitioners approached the Respondent for several times for their recruitment but the Respondent kept in defiance and no employment was given to them. The Petitioners have issued legal notice even thereafter no action has been taken by the Respondent. The Petitioner was not only issued identity card, but they were allotted EPF account number and Mr. Elisha has claimed that he was allotted EPF No. EPF-462 and contribution has been deposited in this account. Respondent corporation has filed counter against the claim submitted by the Petitioner.

4. The Respondent has submitted that the petition U/s 2A of the Industrial Disputes Act, 1947 is not maintainable. The various allegations made in the petition are devoid of any merit and incorrect thereby required proof. It has further been submitted by the Respondent No. 1 that none of the Petitioners worked as an employee in the Food Corporation of India at any point of time and there is no relationship of employer and employee, therefore, the provisions of Secy. 2A(2) of Industrial Disputes Act, 1947 is not attracted and the petitions are liable to be dismissed. It has been submitted by the RI that Food Corporation of India used to award H & T contract to provide contractors/societies during the period from 1986 to 1994. M/s. Food Corporation of India Hamali Labour Contract Cooperative Society Ltd., Regd. No. 825 T.T. Kazipet, was awarded H & T contract for handling and transport of foodgrains at Kazipet Food Corporation of India depot. The contractor society used to being their labourers for doing the work undertaken by the society and the contractor. The contractor society was paid as per schedule of rates fixed under H. & T contract depending upon the work done by them. It was the responsibility of the contractor as to who should be engaged and how many persons would be engaged for carrying out the work to discharge contractual applications. The Food Corporation of India has nothing to do with the matter. The corporation never controlled or supervise the work done by those contract labourers. The Petitioner might be one of those contract labourers engaged by contractor society. The Food Corporation of India has no knowledge as to the services put in by the Petitioners under the contract society. However, the Petitioners were never engaged as Hamali or as casual labourer by Food Corporation of India at any point of time. The allegations that the Petitioners were engaged for 3 years by Food Corporation of India are incorrect. The Respondent have no power to engage any person on casual basis nor the Petitioners were ever engaged by the Respondent at any point of time. It has further been alleged that CPF contributions were not deducted by the corporation from the Petitioners. The Petitioner has deliberately mislead this court as the Petitioner was not appointed or engaged to the Food Corporation of India, the question of deducting EPF by the Food Corporation of India does not arise. The Petitioner might have worked as contract labour at contract labour society. As such corporation having knowledge of

their engagement, the burden is on Petitioners to prove that they were appointed by the Food Corporation of India to work under the contractual society. The allegation of the Petitioners that they have discharged duties of hamali upto 20-3-98 is incorrect. Petitioners were never assured of re-engagement. Allegations to this effect is false. The contractor might have issued identity card and they had covered the Petitioner under the PF scheme if they have worked under contractor, but the same does not make the Petitioners, workers of Food Corporation of India, the contractor is under statutory obligation to pay PF to his workers accordingly, the Petitioners might have been covered under the PF scheme, this also proves that the Petitioners were not appointed by Food Corporation of India. The contractor has not been made party to the petition, as such the petition suffers from non-joinder of the necessary party. Petitioner is not entitled for any relief from R1.

5. Petitioner filed his evidence affidavit and affidavit of Sri Maram Chandraiah, WW-2, and has presented himself and Sri Maram Chandraiah for cross examination. The Respondent Food Corporation of India has produced Sri G.Swamy as MW-1 and filed affidavit of MW-1. No counter affidavit or any witness was produced by R1 or R2.

6. After the closure of oral evidence Petitioner moved application to implead President, FCI Hamalis' Labour Contract Co-operative Society Limited, Kazipet, Warangal as 2nd Respondent, which was allowed by this tribunal and President, FCI Hamalis' Labour Contract Co-operative Society Limited, Kazipet, Warangal has been impleaded as R2. R2 has also filed his counter who has denied the allegations of the petitioners and has submitted that the Petitioners along with some others have worked as Hamalis for the work of Food Corporation of India at its depot of Kazipet under the control of Food Corporation of India since several years. It has been submitted by the R2 that this society registered with Contract Labour Act from time to time with the principal employer R1 and R1 herein is in the custody of the records pertains to Contract Labour Society. Petitioners are required to strict proof of their service record and experience commencement from their appointment along with wage proof. Thus, this petition be dismissed.

7. Several opportunities were afforded to the Respondent to present and produce their evidence, but none of the Respondents has produced any evidence. As such, the evidence of the Respondent has been closed and the case was fixed for arguments.

8. Both the parties called absent on the date of arguments. As such the record of this case has been examined by me. I have gone through the record. Submissions made by the Petitioner of the case and counter filed by the Respondent and evidence of the Petitioner. The Petitioners have claimed that they are employees of Food Corporation of India. Petitioner No. 1 Sri Elisha has

submitted that he was issued identity card No. 13624 in the year 1997 i.e., on 18-1-1997. He was allotted EPF No. AP/6566/462 and deductions were made from his pay towards EPF and deposited in the account number mentioned above. It has further been alleged by the Learned Counsel for the Petitioner that they were employed orally and the services were terminated by the oral orders. In proof of his case, Petitioner Sri Elisha has filed original identity card of FCI Hamalis Labour Contract Co-operative Society Limited and EPF deduction slip wherein he was shown as workman of the Hamali Labour Contractor of Hamalis Society. By his affidavit he had proved this identity card and EPF deduction slip. In his cross examination, WW1 S. Elisha has admitted that identity card was issued to him by Food Corporation of India Hamalis Labour Contract Society, Kazipet. AVSU Komaraiah was mastering who used to instruct and allot the work to us. The Petitioner workman has admitted that he worked under Labour Contract Society. During the period from 1995 to 1998 he had admitted that he has not filed any document to show that he has worked from 1995 to 1998 continuously. Though the witness has stated in his cross examination that his attendance was marked by Food Corporation of India staff and wages were paid by the Food Corporation of India but has stated that wages were never paid by cheque. He had denied the suggestion of the Respondent that Food Corporation of India used to pay a consolidated cheque to Komaraiah and Komaraiah used to encash it and pay to the workers. But the Petitioner Mr. Elisha has categorically admitted that he is workman of Labour Cooperative Contract Society. Though he was denied the suggestion that he did not work directly under Food Corporation of India but has worked under Hamali Cooperative Society, even though his admission to the fact that he was a member of the Hamalis Labour Cooperative Contract Society and the society has issued identity card to him proves that the Petitioner and other workmen of the petitions mentioned above were workers of Hamalis Labour Cooperative Society. Petitioners' side admitted that they were not issued any appointment letter and they were engaged to work by oral orders and their services were also terminated by oral orders proves that the Food Corporation of India Respondent No. 1 has not engaged the workman of the cases mentioned above to work under Food Corporation of India.

9. So far as the question of engagement of the Petitioners under the Hamalis Co-operative Contract Labour is concerned, the Petitioner S. Elisha has admitted that he has not filed any document regarding his total service or period he had worked under the society. He has stated that Food Corporation of India has always awarded transport and handling work to the society. However, Respondent No. 2 himself has admitted that he has entered into an agreement with the Food Corporation of India to handle the work of transport of foodgrains of the Food Corporation of India, Kazipet. The witness has admitted that no appointment letter was given to him by the Food

Corporation of India. WW2 Sri Maram Chandraiah has stated that he along with other Petitioners has worked under the old pattern of contract labour society. In para 2 of his affidavit, he has admitted that he and other workers of LC Nos. 189/2002 to 203/2002 are workers of Food Corporation of India, Kazipet through contract labour society. Further in his cross examination he has admitted that he worked as Hamali under Contract Labour Cooperative Society. He has further admitted that Petitioners' and other members of Hamali Labour Contract Co-operative Society were members of Food Corporation of India. He has admitted that the Respondent Corporation used to pay the salary to society in turn, the society used to pay the wages of members who work in corporation premises. WW2 has further admitted that the labour cooperative society used to deposit the PF and the members of the society were issued identity cards by the society. He has further admitted that he and other workers were workers of the said cooperative society. He has categorically admitted that it is a fact that said labour cooperative society entered into a contract with the Respondent No. 1 for handling and transport of the foodgrains during the relevant time. Though he has denied to the suggestion that he and other workers never worked under the Respondent No. 1 corporation but from the bare reading of the entire statement of the WW2, it is evident that the witnesses WW2 and other co-workers who are petitioners to the LC 189/2002 to 203/2002 are the workers of Hamali Contract Labour Cooperative Society, who is a contractor to handle and transport the foodgrains in the Food Corporation of India godown of Kazipet. From the statement of WW1 and WW2, it has also been proved that Food Corporation of India has not engaged any of these workers nor there is relationship of employer and employee between the workmen of all these petitions and F.C.I.R.L. as such, the workmen and petitioners of these 15 petitions are not entitled to claim any relief from R1, i.e., Food Corporation of India.

10. Coming to the question of relief against R2 in the form of retrenchment compensation etc. The Petitioners of these 15 cases i.e. LC 189/2002 to 203/2002 have not tried to prove that they worked under the management of R2 for more than 240 days in the preceding year of their termination. Since the factum of serving for more than 240 days in the year before the preceding year of the date of termination has not been proved by any of the Petitioners, none of the Petitioner is entitled for retrenchment compensation. No other relief has been claimed by the Petitioner, nor the Petitioners have filed any agreement to prove that there has been any agreement between the workmen and the contractor to pay any other allowances to the Petitioners. As such, Petitioners of these 15 cases are not entitled for any relief or compensation from R2 as well. The petitions are misconceived and based on incomplete factual matrix, as such, the Petitioners are not entitled for any relief from R1 or R2 and all these 15 petitions

deserve to be dismissed. Accordingly, LC Nos. 189/2002 to 203/2002 are dismissed. Parties shall bear their own costs.

Award passed accordingly, Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 28th day of January, 2009.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner	Witnesses examined for the Respondent
--	--

WW1: Petitioners as per	MW1: Nil
-------------------------	----------

Cause title

WW2: Sri Maram Chandraiah

Documents marked for the Petitioner(s)

Ex. W1: Copy of the provident fund slip in the name of Petitioner

Ex. W2: Identity card issued by the Respondent in name of Petitioner

Ex. W3: Office copy of legal notice issued to Respondent

Ex. W4: Reply to Ex. W3

Documents marked for the Respondent

NIL

नई दिल्ली, 24 फरवरी, 2009

का.आ. 719.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत संचार निगम लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय हैदराबाद के पंचाट (संदर्भ संख्या 175/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-02-2009 को प्राप्त हुआ था।

[सं. एल-40025/7/2009-आई आर (डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 24th February, 2009

S.O. 719.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 175/2003) of the Central Government Industrial Tribunal-cum- Labour Court, Hyderabad now as shown in the annexure, in the Industrial Dispute between the employers in relation to the management of Bharat Sanchar Nigam Limited and their workman which was received by the Central Government on 24-02-2009.

[No. L-40025/7/2009-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT
HYDERABAD**

Present : Shri Ved Prakash Gaur,
Presiding Officer

Dated the 30th day of January, 2009

INDUSTRIAL DISPUTE L.C.I.D.NO. 175/2003

Between : Sri S. Trinadha Rao,
S/o Butchanna,
C/o Sri N. Koteswara Reddy,
Adilaxmi Nagar, Ravuluapalem-533 238 ..Petitioner

AND

1. The General Manager,
Bharat Sanchar Nigam Ltd.,
Telecom District, East Godavari,
Rajahmundry-533 150.
2. The Sub-Divisional Officer,
Bharat Sanchar Nigam Ltd.,
Telecom, Rozale.Respondents

Appearances :

For the Petitioner : Shri N. R. Srinivasan, Advocate
For the Respondent : Shri R. S. Murthy, Advocate

AWARD

This is a case taken under Sec.2 A (2) of the I.D. Act, 1947 in view of the judgment of the Hon'ble High Court of Andhra Pradesh reported in W.P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. Petitioner filed this petition against his illegal retrenchment by the Respondent. That he was appointed initially as casual mazdoor by the Sub-Divisional Officer, Telecom, Rajahmundry w.e.f. 1-6-1984 and worked till 1985. He further submitted that he was engaged from 1987 on different works and he lost his record of work particulars in a fire accident on 18-7-1993. He worked for the period from 1-6-84 to 31-8-94 at SDOT, Rajahmundry and from 1-6-94 to 31-3-1995 at SDOT, Razole, 1-2-95 to April, 1997 continuously. That he was terminated from 16-4-97. He prayed to direct the Respondents for reinstatement and such other benefits as this court deems fit.

3. A counter was filed by the Respondents denying all the allegations made by the Petitioner therein. It is submitted that the Petitioner was continued to be engaged on such works and he stopped to attend his duties for 10 years from 1-9-84 to 31-5-94. It is submitted that with reference to O.A. No. 994/1995 dated 29-9-1995 he was engaged intermittently on specified time bound works from 1-12-95 to 15-4-97 in Razole Telecom Sub-Division. It is

submitted that there are some directions for engagement and disengagement of casual labour. In view of O.M. dated 12-2-1999 and the provisions of para 193 of P & T Manual Vol. X engaging casual labour are withdrawn. Hence, engagement of casual labour is closed establishment. There is no scope for reinstatement of casual labour in any manner and it is prayed that the petition be dismissed.

4. Petitioner filed chief examination affidavit. He did not turn up for cross examination till date.

5. Both parties called absent on 30-1-2009, the date for cross examination of Petitioner witness. Order sheet transpired that parties to this case are not attending to the case since three years, as such, no justification was found to adjourn the case. The case is dismissed in absence of parties. Accordingly a Nil Award is passed. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 30th day of January, 2009.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witness examined for the Petitioner	Witnesses examined for the Respondent
NIL	NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 24 फरवरी, 2009

का.आ 720.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत संचार निगम लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 52/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-2-2009 को प्राप्त हुआ था।

[सं. एल-40012/9/2003-आई आर(डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 24th February, 2009

S.O. 720.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 52/2003) of the Central Government Industrial Tribunal/Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the management of Bharat Sanchar Nigam Limited and their workmen, which was received by the Central Government on 24-2-2009.

[No. L-40012/9/2003-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR COURT AT
HYDERABAD****PRESENT:**

Shri Ved Prakash Gaur, Presiding Officer

Dated the 30th day of January, 2009

Industrial Dispute No. 52 of 2003

Between :

Sri K. Nageswara Sharma,
C/o V. Vijay Kumar,
D. No. 42-2-216,
3rd Line, Devi Nagar,
Vijayawada.

.....Petitioner

AND

The General Manager,
BSNL,
Vijayawada.

.....Respondent

Appearances :

For the Petitioner : Sri N. R. Srinivasa, Advocate

For the Respondent : Sri R. S. Murthy, Advocate

AWARD

1. The Government of India, Ministry of Labour by its Order No. L-40012/9/2003-IR(DU) dated 21-4-2003 referred the following dispute under Section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of BSNL and their workman. The reference is,—

SCHEDULE

“Whether the action of the management of Bharat Sanchar Nigam Limited, Vijayawada in dismissing services of Sh. K. Nageswara Sharma, Ex-Casual Mazdoor is justified ? If not, to what relief the workman is entitled to ?”

The reference is numbered in this Tribunal as I.D. No. 52/2003 and notices issued to the parties.

2. The petitioner filed claim statement. He submitted that he had rendered 1386 days of service in various sub-divisions in the Krishna Secondary Switching Area i.e., Gudiwada, Jaggayyapeta and Vijayawada telephone exchange. He submitted that he was sick and absent from 1-7-1987 to 31-12-1989 for which he submitted medical certificate etc. Later he was re-engaged and worked for 735 days till 31-5-93 and he was terminated orally from 1-1-1996. He prayed to direct Respondent for reinstatement with all consequential benefits.

3. The Respondent filed counter denying the allegations made by the Petitioner. The Respondent agreed that the Petitioner worked for different spells but not continuously. It is submitted that as per settled law, retrenchment of contract labour does not arise when they were engaged for a specific period and for a particular job and the Petitioner was engaged at different spells for specific work. Hence, it is requested to pass a nil award.

4. The Petitioner filed chief examination affidavit and marked documents Ex. W1 to Ex. W11. He was cross examined and re-examined. MW1, Sri B. Murli Krishna, Divisional Engineer (EWS) filed chief examination affidavit and case is pending for cross examination of MW1.

5. Petitioner is continuously absent and did not come to cross examine MW1. Both parties called absent on 30-1-2009, the date for cross examination of MW1. Order sheet transpired that parties to this case were not attending to the case for last two years, as such, no justification was found to adjourn the case. As there is nothing on the record in support of claim of the Petitioner union and in the absence of evidence a ‘Nil Award’ is passed. Transmit.

Dictated to Smt. P. Phani Gawri, Personal Assistant transcribed by her corrected and pronounced by me on this 30th day of January, 2009.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner	Witnesses examined for the Respondent
WW1. Sri K. Nageswara Sharma	NIL

Documents marked for the Petitioner

Ex. W1 : Initial appointment Lr. dtd. 19-8-1983.
Ex. W2 : Lr. Dtd. 16-6-1995 showing the no. of days Petitioner worked from 15-11-93 to 30-7-94.
Ex. W3 : Book showing the no. of days Petitioner worked from 1-6-83 to 6-5-94.
Ex. W4 : Copy of application to the Respondent in 1999 to engage the Petitioner as casual mazdoor.
Ex. W5 : Copy of another application like Ex. W4.
Ex. W6 : Lr. Dtd. -2-97 requesting to implement the Hon'ble CAT's judgement.
Ex. W7 : Medical certificate dtd. 31-12-1989 of the Petitioner.
Ex. W8 : Another medical certificate from 1-7-88 to 30-6-89.
Ex. W9 : Copy of circular dtd. 1-10-84 of the Respondent.
Ex. W10 : Identity card issued as gate pass from 19-6-95 to 31-7-95.
Ex. W11 : Another gate pass.

Documents marked for the Respondent

NIL

नई दिल्ली, 24 फरवरी, 2009

का.आ. 721.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत संचार निगम लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 109/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-2-2009 को प्राप्त हुआ था।

[सं. एल-40025/6/2009-आई आर (डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 24th February, 2009

S.O. 721.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 109/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bharat Sanchar Nigam Limited and their workmen, which was received by the Central Government on 24-2-2009.

[No. L-40025/6/2009-IR (DU)]

SURENDRA SINGH, Desk Officer
ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AT HYDERABAD**

PRESENT:

Shri Ved Prakash Gaur, Presiding Officer

Dated the 30th day of January, 2009

Industrial Dispute L.C.I.D. No. 109/2003

Between :

Sri Tadi Krishna Rao,

S/o Naganna,

C/o Sri C. Suryanarayana,

Advocate, Hyderabad.

....Petitioner

AND

The General Manager,

Bharat Sanchar Nigam Ltd.,

Telecom, WG District,

Eluru-534 050

...Respondent

Appearances :

For the Petitioner : M/s. C. Suryanarayana and P.

Venkateswara Rao, Advocates

For the Respondent : Sri R. S. Murthy, Advocate

AWARD

This is a case taken under Sec. 2A (2) of the I.D. Act, 1947 in view of the Judgment of the Hon'ble High Court of Andhra Pradesh reported in W.P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. The petitioner filed this petition against his illegal retrenchment by the Respondent. He has joined the Respondent organization on daily wages from 1-4-1982, but due to Godavari floods on 16-8-86 he lost all relevant papers. It is submitted that he was sick during July, 1989 to August, 1990. It is further submitted that he was not employed though other casual mazdoors who were juniors to him were reinstated into service. He prayed to direct the Respondents for reinstatement and such other benefits as this court deems fit.

3. A counter was filed by the Respondents denying all the allegations made by the Petitioner therein. It is submitted that there are some directions for engagement of casual labour and disengagement of casual labour. In view of the O.M. dated 12-2-1999 and the provisions of para 193 of P & T Manual Vol. X engaging casual labour are withdrawn. Hence, engagement of casual labour is closed establishment. There is no scope for reinstatement in any manner and it is prayed that the petitioner be dismissed.

4. Petitioner filed Chief Examination affidavit but not present till date for cross examination.

5. Both parties called absent on 30-1-2009 the date for cross examination of Petitioner witness. Order sheet transpired that parties to this case were not attending to the case for last three years, as such, no justification was found to adjourn the case. The case is dismissed in absence of parties. Accordingly a Nil Award is passed. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this 30th day of January, 2009.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined
for the Petitioner

NIL

Witnesses examined
for the Respondent

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 24 फरवरी, 2009

का.आ. 722.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत संचार निगम लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 108/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-2-2009 को प्राप्त हुआ था।

[सं. एल-40025/5/2009-आई आर (डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 24th February, 2009

S.O. 722.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 108/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bharat Sanchar Nigam Limited and their workmen, which was received by the Central Government on 24-2-2009.

[No. L-40025/5/2009-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AT HYDERABAD

PRESENT:

Shri Ved Prakash Gaur, Presiding Officer

Dated the 30th day of January, 2009

Industrial Dispute L.C.I.D. No. 108/2003

Between:

Sri Ch. S. K. Durga Rao,
S/o Musalayya,
C/o Sri C. Suryanarayana,
Advocate, Hyderabad

.....Petitioner

AND

The General Manager,
Bharat Sanchar Nigam Ltd.,
Telecom, WG District,
Eluru-534 050

....Respondent

Appearances:

For the Petitioner: M/s. C. Suryanarayana and P.
Venkateswara Rao, Advocates

For the Respondent: Sri R. S. Murthy, Advocate

AWARD

This is a case taken under Sec. 2A (2) of the I.D. Act, 1947 in view of the judgment of the Hon'ble High Court of Andhra Pradesh reported in W.P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. The petitioner filed this petition against his illegal retrenchment by the Respondent. He has joined the Respondent organization on daily wages in June, 1972, but due to Godavari floods on 16-8-86 he lost all relevant papers. Still he is continuing as casual mazdoor but his name is not being included in muster rolls. He prayed to direct the Respondents for reinstatement and such other benefits as this court deems fit.

3. A counter was filed by the Respondents denying all the allegations made by the Petitioner therein. It is submitted that there are some directions for engagement of casual labour and disengagement of casual labour. In view of O.M. dated 12-2-1999 and the provisions of para 193 of P & T Manual Vol. X engaging casual labour are withdrawn. Hence, engagement of casual labour is closed establishment. There is no scope for reinstatement in any manner and it is prayed that the petition be dismissed.

4. Petitioner filed Chief Examination affidavit but not present till date for cross examination.

5. Both parties called absent on 30-1-2009 the date for cross examination of Petitioner witness. Order sheet transpired that parties to this case were not attending to the case for last three years, as such, no justification was found to adjourn the case. The case is dismissed along with I. A. dated 7-7-2005 in absence of parties. Accordingly a Nil Award is passed. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 30th day of January, 2009.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined
for the Petitioner
NIL

Witnesses examined
for the Respondent
NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 24 फरवरी, 2009

का.आ. 723.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 77/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-2-2009 को प्राप्त हुआ था।

[सं. एल-40025/4/2009-आई आर (डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 24th February, 2009

S.O. 723.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 77/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial

dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 24-2-2009.

[No. L-40025/4/2009-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, AT HYDERABAD

PRESENT:

Shri Ved Prakash Gaur, Presiding Officer

Dated the 30th day of January, 2009

Industrial Dispute L.C.I.D. No. 77/2003

Between :

Sri K. Anil Kumar,
S/o Nanchariah,
D. No. 42-69-31 Block No. 18,
Old Ajit Singh Nagar,
Vijayawada-520 015

.....Petitioner

AND

The General Manager,
Telecom, Vijayawada Telecom District,
Vijayawada-520 004

.....Respondent

Appearances :

For the Petitioner : M/s. C. Suryanarayana and P.
Venkateswara Rao, Advocates

For the Respondent : Sri R. S. Murthy, Advocate

AWARD

This is a case taken under Sec. 2A (2) of the I.D. Act, 1947 in view of the Judgment of the Hon'ble High Court of Andhra Pradesh reported in W.P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. The petitioner filed this petition against his illegal retrenchment by the Respondent. He has joined the Respondent organization as Clerk cum Typist w.e.f. 27-10-1997 and worked continuously. Later, he was retrenched on 1-4-2002 (FN) without notice or notice pay. He prayed to direct the Respondents for reinstatement and such other benefits as this court deems fit.

3. A counter was filed by the Respondents denying all the allegations made by the Petitioner therein. It is submitted that in exigencies his services were utilized on job work basis. It has further been submitted that as per settled law continuation in job work would not confer any right for absorption as clerk filled in accordance with

recruitment rules and there is no scope for reinstatement in any manner and it is prayed that the petition be dismissed.

4. Petitioner filed Chief Examination affidavit but not present till date for cross examination.

5. Both parties called absent on 30-1-2009 the date for cross examination of Petitioner witness. Order sheet transpired that parties to this case were not attending to the case for last two years, as such, no justification was found to adjourn the case. The case is dismissed in absence of parties. Accordingly a Nil Award is passed. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 30th day of January, 2009.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined
for the Petitioner

NIL

Witnesses examined
for the Respondent

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 24 फरवरी, 2009

का.आ 724.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय हैदराबाद के पंचाट (संदर्भ संख्या 2/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-2-2009 को प्राप्त हुआ था।

[सं. एल-40025/3/2009-आई आर (डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 24th February, 2009

S.O. 724.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 2/2002) of the Central Government Industrial Tribunal/Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 24-2-2009.

[No. L-40025/3/2009-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AT HYDERABAD****PRESENT:****Shri Ved Prakash Gaur, Presiding Officer**

Dated the 30th day of January, 2009

Industrial Dispute L.C.I.D. No. 2/2002**Between :**Sri K. Ravi,
S/o K. Chengalrayalu,
C/o Sri C. Suryanarayana,
Advocate, Hyderabad

.....Petitioner

AND1. The General Manager,
Chittoor Telecom District,
Tirupathi-517 5022. The Sub-Divisional Officer,
Phones, Tirupathi-517 501

.....Respondent

Appearances :For the Petitioner : M/s. C. Suryanarayana and P.
Venkateswara Rao, Advocates

For the Respondent : Sri R. S. Murthy, Advocate

AWARD

This is a case taken under Sec. 2A (2) of the I.D. Act, 1947 in view of the Judgment of the Hon'ble High Court of Andhra Pradesh reported in W.P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. The petitioner filed this petition against his illegal retrenchment by the Respondents. He has joined the Respondent organization as casual mazdoor during first week of November, 1984 under the former SDO Telecom, Tirupathi and worked continuously. Later, he was retrenched in September, 1989 and again employer under ADET (Cables) Tirupathi and finally he was retrenched in 1992 orally. He prayed to direct the Respondents for reinstatement and such other benefits as this court deems fit.

3. A counter was filed by the Respondents denying all the allegations made by the Petitioner therein and it is prayed that the petition be dismissed.

4. Both parties called absent on 30-1-2009 the date for filing of counter and documents. Order sheet transpired that parties to this case were not attending to the case for last two years, as such, no justification was found to adjourn the case. The case is dismissed in absence of parties. Accordingly a Nil Award is passed. Transmit.

Dictated to Smt. P. Phani Gawri, Personal Assistant transcribed by her corrected and pronounced by me on this the 30th day of January, 2009.

VED PRAKASH GAUR, Presiding Officer**Appendix of evidence**Witnesses examined
for the Petitioner

NIL

Witnesses examined
for the Respondent

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

नई दिल्ली, 24 फरवरी, 2009

का.आ 725.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आई. जी. मिनट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय हैदराबाद के पंचाट (संदर्भ संख्या 176/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-2-2009 को प्राप्त हुआ था।

[सं. एल-16025/2/2009-आई आर (डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 24th February, 2009

S.O. 725.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 176/2004) of the Central Government Industrial Tribunal/Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of I. G. Mint and their workman, which was received by the Central Government on 24-2-2009.

[No. L-16025/2/2009-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR COURT AT
HYDERABAD****PRESENT:****Shri Ved Prakash Gaur, Presiding Officer**

Dated the 29th day of January, 2009

Industrial Dispute L.C. No. 176/2004**Between :**Sri B. Shanker,
S/o Narasimha,
R/o H. No. 18-1-320 Uppuguda,
Hyderabad

.....Petitioner

AND1. The General Manager, IG Mint,
Government of India Cherlapally,
Hyderabad2. Janardan Reddy,
Contractor, CPWD Office,
Sulthan Bazar, Koti,
Hyderabad

.....Respondent

APPEARANCES:

For the Petitioner : M/s. S. Balraj, A. Manohar and A. Srihari, Advocates

For the Respondent : Sri P. Raveender Reddy, Advocate

AWARD

1. This case was taken in view of the judgment of the Hon'ble High Court of Andhra Pradesh reported in 1997 (3) LLJ Supplement, page 1141 in W. P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. The petitioner filed this petition stating that he was working as supervisor in IG Mint and was terminated w.e.f. 3-11-2003. He prays this court to direct the Respondent to reinstate him into service with all benefits.

3. The Respondent filed counter denying the allegations of the Petitioner regarding his appointment and termination. It is prayed that the petition be dismissed.

4. Petitioner filed Chief Examination affidavit and marked Ex. W1 to Ex. W15, except Ex. W11, all are Xerox copies of the documents and he was not cross-examined by the Respondent. Respondent also neither examined in chief nor cross-examined by the Petitioner.

5. The Petitioner filed IA 50/2004 for inclusion of Executive Engineer, CPWD Department, Hyderabad as Respondent No. 3 which was still pending due to the absence of both parties. Case was called out several times, both parties called absent. Ordersheet transpires that parties are not attending to this case since March, 2007. As such, the case along with IA is dismissed in absence of parties. Hence, petition is dismissed.

Nil Award is passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her and corrected by me on this the 29th day of January, 2009.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner	Witnesses examined for the Respondent
--	--

WW1 : Sri B. Shanker NIL

Documents marked for the Petitioner

Ex. W1 : Copy of continuation order dt. 11-2-2003
Ex. W2 : Copy of continuation order dt. 15-2-2003
Ex. W3 : Copy of continuation order dt. 22-2-2003
Ex. W4 : Copy of gate pass lr. dt. 27-2-2003
Ex. W5 : Copy of continuation order dt. 1-3-2003
Ex. W6 : Copy of continuation order dt. 7-3-2003
Ex. W7 : Copy of continuation order dt. 13-3-2003
Ex. W8 : Copy of continuation order dt. 22-3-2003
Ex. W9 : Copy of gate pass lr. dt. 27-2-2003
Ex. W10 : Copy of continuation order dt. 22-2-2003
Ex. W11 : Continuation order dt. 22-2-2003
Ex. W12 : Copy of gate pass lr. dt. 27-2-2003
Ex. W13 : Copy of gate pass taken dt. 27-2-2003
Ex. W14 : Copy of gate pass lr. dt. 27-2-2003
Ex. W15 : Copy of charter of demands.

Documents marked for the Respondent

NIL

नई दिल्ली, 24 फरवरी, 2009

का.आ 726.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डिप्टी पोस्ट मास्टर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में श्रम न्यायालय, पुणे के पंचाट (संदर्भ संख्या 196/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-2-2009 को प्राप्त हुआ था।

[सं. एल-40012/28/97-आई आर(डीयू)]

सुरेन्द्र सिंह, डैस्क अधिकारी

New Delhi, the 24th February, 2009

S.O. 726.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 196/1998) of the Labour Court, Pune as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Dy. Post Master and their workman, which was received by the Central Government on 24-2-2009.

[No. L-40012/28/97-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI V.M. KAKADE, PRESIDING OFFICER,
SECOND LABOUR COURT, PUNE**

REF. (IDA) No. 196 OF 1998

Between :

The Deputy Post master,
Pune City, Market Yard, Gultekdi,
Pune-411037

.....First Party

AND

Smt. Yashodabai Baban Darekar,
Mahatma Phule Nagar,
Chinchawad Station, Pune-19

.....Second Party

Coram : Shri V. M. Kakade,

Appearances : Shri S. B. Deshpande, Advocate for
First party.

Shri N. A. Kulkarni, Advocate for
Second Party.

AWARD

(Date : 11-11-2008)

1. On alleged termination of services, second party approached to the Deputy Commissioner of Labour (Conciliation) Pune and on failure of conciliation, Deputy Commissioner of Labour, Pune preferred this reference

under Sec. 10(2) and Sec. 12(5) of Industrial Disputes Act, 1947 (hereinafter referred to as the Act) for adjudication in the matter of reinstatement with continuity of service and full back wages of second party.

2. Brief facts which are relevant for deciding present reference in Statement of Claim of second party are as under :—

That second party was in the employment of the first party as a Dry-Sweeper since 2-11-1983. She had worked continuously with the first party in the aforesaid period. She was being paid salary @Rs. 1200 p.m.

3. It is contended that surprise to the second party, first party terminated her services w.e.f. 6-4-96 by written order without assigning any reason.

4. It is contended that prior to her termination neither charge sheet was issued to her nor enquiry was conducted. It is contended that while terminating her services neither notice nor salary in lieu of notice and retrenchment compensation was given to the second party. Thus, termination of the second party is illegal. Hence, second party is entitled to reinstatement with full back wages.

5. This reference is strongly resisted by the first party by filing its Written Statement at Exh. 14 and subsequent amended Written Statement at Exh. 59 wherein first party has challenged the maintainability of this Court contending that order of reference is not passed by the competent authority in terms of Sub-secs. (1) & (2a) of Clause (d) of Sec. 2 of the Industrial Disputes Act.

6. It is further contended that in view of principles laid down by the Hon'ble Supreme Court in its Judgment in Civil Appeal Nos. 587-588 of 1992 dated 2-2-1996, first party is not an industry. Report of Assistant Commissioner of Labour, Pune and on failure of conciliation proceeding and the reference made thereof by Conciliation Officer appears to be void ab initio. Therefore, reference is not maintainable.

7. It is further contended that in the present case appropriate Government is Central Government and this Hon'ble Court may not enjoy the jurisdiction to adjudicate the above reference under the different rules framed by two different ministries under the said Government i.e. Central Government and to the establishment of this Hon'ble Court under the provisions of the said Act.

8. It is contended that second party was never recruited as a casual labour at Head Office, Pune. No kind of appointment order was issued to the second party. She was engaged as the substitute against the absenteeism in leave vacancies/vacant post. The second party was working only in leave vacancy as substitute, but for the occasion when arose. The substitute being not casual worker, they cannot be given temporary status in accordance with the D.G. Post letter 45-95/87-SCB-I dated 12-4-1991.

9. It is contended that second party was not an employee of the first party or post office. There is no full time or part time post of dry sweeper at Chinchawad (East) Post Office. No record is maintained in respect of an outsider worker and therefore, the exact date or period under the reference of the statement of claim of the second party cannot be mentioned. The second party was not the departmental employee. There is no provisions under the rule to issue charge sheet or to hold enquiry against the outside worker. The outside workers are allowed to work till they work satisfactorily and if their work is not found satisfactory, they are not allowed to work. The allowances of the outside workers are being fixed by the department by issuing orders from time to time and said orders also changes from time to time. There is no provision under the rule to issue notice, to pay notice pay, to pay retrenchment compensation or to pay legal dues to the outside workers. The allowances for the period for which second party was allowed to work were drawn and disbursed to the second party. It is contended that second party was engaged as contingent staff for unforeseen/uncertain nature of work whose wages were fixed on hourly basis. Blank form of ACG-17 is attached herewith.

10. It is contended that first party is a one of the authority in the department of post which relied upon the letters issued by its superior authority i.e. Director General of Post, New Delhi. Therefore, the above reference suffers from mis-joinder of necessary party. The first party is the local official head under the territorial jurisdiction of the judicial authority and as such the first party cannot either decide or redress the grievances of the second party. Hence reference be rejected.

11. In view of pleadings of the parties, following issues have been framed at Exh. O-19. My findings thereon with reasons are as under :—

ISSUES	FINDINGS
1. Whether the first party proves department of post is not an industry and its employees are not workmen under the provisions of I.D. Act, 1947?	...In the negative
2. Does the second party prove that her services are terminated illegally by the first party?	...In the negative
3. Does the second party prove that she is entitled for the reliefs claimed as mentioned in the Schedule of reference ?	...In the negative
4. What order ?	...As per final order.

12. To establish her claim against the first party, second party has filed her affidavit in lieu of examination in chief at Exh. 35 and filed letter of termination at Exh. 39 and closed evidence by filing pursis at Exh. 40. On the other

hand, first party has filed affidavits in lieu of examination in chief of Shri Ashok Nivrutti Gaikwad at Exh. 41, Shri Korade Kondibhau Ramu at Exh. 43 and Shri Ramesh Narayan Kulkarni at Exh. 60 and has also filed circulars issued by the Government of India and closed evidence by filing pursis at Exh. 61.

13. With this evidence before me, I have discussed my reasons for findings as under.

REASONS

14. **Issue No. 1.**—Maintainability of this reference is challenged by the first party contending that first party is not an industry and dispute referred is not an industrial dispute and also it is beyond the scope of jurisdiction of this Court. In support Ld. Advocate for the First Party relying on Sub-Sec. 4 & 5 of Sec. 12 r/w. Clause (d) of sub-sec. 1 & 2(a) r/w Sec. 2(a) of the Industrial Disputes Act, 1947 submitted that referred dispute is required to be verified as to whether the report filed by the Assistant Labour Commissioner, Pune and the statement of claim filed by the second party are in the strict compliance of provisions Sec. 2(j), Sec. 2(k), proviso (a) & (b) to Sec. 2(ka) and Sec. 2(a) of the said Act. It is submitted that schedule of the reference is an administrative order and not judicial order, therefore, it is not binding. Placing reliance on Exh. 39 i.e. report of the conciliation officer, it is submitted that pre-supposing it is an industrial dispute, reference is made by the conciliation officer. There is no supporting documents to the report of the conciliation officer. Giving much stress upon the workman and industrial dispute, it is submitted that post office is one of the department of the Central Government discharging sovereign constitutional functions of the state, therefore, it cannot be said that it is an industry within the meaning of Sec. 2(s) of the Industrial Disputes Act, 1947. Reliance is placed on case *Sub-Divisional Inspector, Post Office & Ors. Vs. Theyyam Joseph* reported in 1996 (ii) CLR 237 (SC), wherein it is held by Hon'ble Their Lordships that the functions of the postal department are part of the sovereign functions of the state and it is therefore not an industry. In view of ratio laid down by Hon'ble Their Lordships, report of the Assistant Commissioner (Conciliation) of Labour Pune and reference made thereof by Ministry of Labour appears to be void abinitio. So also rules framed by the department of the post in respect of the employees of the post do not seem to be supplementary to each other, but they are contradictory to each other. Unless ambiguity is removed, this Court has no jurisdiction. So also in respect of alleged dispute in the present case appropriate government is Central Government however, this Hon'ble Court is established under Sec. 7 of the Industrial Disputes Act, passed by the State of Maharashtra and hence this Hon'ble Court may not enjoy the jurisdiction to adjudicate upon the alleged dispute under different rules framed by two different ministries under the same government i.e. Central Government and to the

establishment of this Hon'ble Court under the provisions of Industrial Disputes Act passed by the state government in spite of the whatever is stated the facts and law remains that the department of the post is not an industry and in spite of the knowledge, the Ministry of Labour, Government of India referred the alleged dispute as an industrial dispute to this court for adjudication. Therefore, this court may not exercise jurisdiction to entertain and try this reference.

15. From the above submissions of the Ld. Advocate for the first party, it reveals that maintainability of this reference is challenged on two grounds. First on the ground of appropriate government is a Central Government and this court is established by the State of Maharashtra under Sec. 7 of the Industrial Disputes Act, 1947. Hence, this court has no jurisdiction and second on the ground of department of the first party is not an industry as it is performing sovereign and constitutional functions to the general public. So let us, consider these grounds one by one. There is no dispute that post and telecommunication is one of the department of the Central Government. Therefore, as per the provisions of Sec. 2a (1), appropriate government is Central Government. Now turning to the provisions of Sub-Sec. 4 & 5 of Sec. 12, conciliation officer is vested with powers to refer the dispute to board (Labour Court, tribunal or National tribunal) for adjudication. As submitted by the Ld. Advocate for the first party that Labour Courts are established under Sec. 7(1) of the Industrial Disputes Act by the appropriate government by Notification in the official gazette, on combined reading of Sec. 2a (1), Sec. 7 and Sec. 12 (4) & (5), conciliation officer is vested powers to refer the industrial dispute for adjudication to the Labour Court also established under Sec. 7. In brief, conciliation officer on failure of conciliation, conciliation officer has to close investigation and is bound to send to the appropriate government and a full report setting forth the steps taken by him for ascertaining the facts and the circumstances relating to the dispute and for bringing about settlement thereof, together with a full statement of such facts and circumstances, and the reasons on account of which in his opinion, a settlement could not be arrived at.

16. Ld. Advocate for the first party has also brought to my notice Ex. 36, which is report of the conciliation officer submitted to the appropriate government, relying on which reference is prepared by the appropriate government under Sec. 12 (5) of the Industrial Disputes Act, 1947. On perusal of that report, it appears that conciliation officer has submitted his brief report explaining proceeding of the conciliation and submissions of the parties. Conciliation officer has given reasons for his findings on the issue of industry. Therefore, it cannot be said that report of the conciliation officer is not with reason and thereby reference is void abinitio.

17. Once failure report is submitted by the conciliation officer under Sub-Sec. 4 of the Sec. 12 of the Indus-

trial Disputes Act, 1947 then appropriate government if satisfies can refer the adjudication to the Labour Court under Sub-Sec.5 of Sec. 12 of the Industrial Disputes Act. So Central Government can also refer the dispute for adjudication to the Labour Court. Therefore, I do not find any irregularities in referring the dispute by the Central Government to this Court for adjudication.

18. So far as controversy whether the post and telecommunication department is an industry is concerned, according to the Ld. Advocate for the first party it is not an industry and it is one of the department of the Central Government performing the sovereign and constitutional functions to provide services to the public of the states. while listening argument of Ld. Advocate for the first party. I observed that Ld. Advocate for the first party has placed his reliance on Sub- Divisional Inspector. Post Office & Ors. Vs. Theyyam Joseph reported in 1996 (ii) CLR 237 (SC) wherein Hon'ble Their Lordships have held that one of the duty of the state is to provide telecommunication services to the general public and it is one of the essential function of the state as welfare of the state. Therefore, it is not an industry.

19. In reply, Ld. Advocate for the second party has placed his reliance on case General Manager, Telecom Vs. S. Srinivasan Rao & Ors. reported in 1998 (II) CLR 184 (SC) (DB) and submitted that relying on Bangalore Water Supply's case earlier decisions in Theyyam Joseph's reported in 1996 (II) CLR 237 and Bombay Telephone Canteen Employees Association case reported in 1997 (II) CLR 218 case were treated as not laying down correct.

20. On perusal of judgment in General Manager, Telecom Vs. S. Srinivasan Rao & Ors. reported in 1998 (II) CLR 184 (SC) (DB), it appears that Hon'ble. Their Lordships have discussed both the judgments in Theyyam Joseph's reported in 1996 (II) CLR 237 and Bombay Telephone Canteen Employees Association case reported in 1997 (II) CLR 218 and finally laid down that decision in both the cases were rendered without any reference to the 7 judges Bench in Bangalore Water Supply's case and laid down that it is not permissible for us, or for that matter any Bench of lesser strength to take a view contrary to that in Bangalore Water Supply's case or to bypass that decision so long as it holds the field. Moreover that decision was rendered long back nearly two decades earlier and we find no requires us to follow the decision in Bangalore Water Supply's case.

21. In view of ratio laid down in S. Srinivasan Rao & Other's case cited supra, I disagreed with the submissions of the Ld. Advocate for the first party that postal and telecommunication departments are not industry. On the contrary, with due respect I would like to apply ratio laid down by Their Hon'ble Lodship in S. Srinivasan Rao based on landmark judgment in Bangalore Water Supply's case holding that postal and telecommunication department are treated as industry. Hence, I answer issue in the negative.

22. Issue No. 2 :—Second party is with case of illegal termination. As asserted the fact of illegal termination burden is upon the second party to prove the fact contended. In support of her contentions, second party in her affidavit in lieu of examination in chief has stated on oath that since 2-11-83 she was in the employment of the first party as a dry sweeper. She worked continuously. Surprisingly on 6-4-96, first party terminated her services without asking any reason. It is stated on oath that neither issued charge sheet nor enquiry was conducted against the second party. Neither notice pay nor retrenchment compensation was paid to her. Therefore, termination of services are apparently illegal and void abinitio. Hence, she is entitled to relief of reinstatement.

23. On the other hand, first party is with the plea that second party was never in the employment of the first party as a dry sweeper. There was no full or part time dry sweeper in Chinchawad Post Office. As the second party was not departmental employee, first party has not maintained her record in respect of her employment. It is the case of the first party that second party was engaged as contingent staff. Second party as not having facilities like leave, weekly off etc. Second party was engaged as a dry sweeper to carry out uncertain work. Therefore, neither notice nor notice pay or compensation is required to be paid to the second party. In support its case first party has also filed affidavit in lieu of examination in chief of Shri. Ashok Gaikwad, Shri Korade and Shri Ramesh Kulkarni. All of them have stated on oath that second party was not an employee of the first party or post office. She was not full time or part time employee second party was never recruited as a casual labour at Head Office Pune. No kind of appointment order was issued the second party. She was engaged as the substitute against the absenteeism in leave vacancies/vacant post. The second party was only in leave vacancy as substitute, but for the occasion arose. The substitute being not casual worker they cannot be given temporary status in accordance with the D.G. Post letter 45-95/87-SCB-I dtd. 12-4-1991.

24. With this evidence before me, Ld. For the second party reiterating facts contended in the statement of claim and in affidavit in lieu of examination in chief. In brief, it is submitted that since 1983 second party was in the employment of the first party as a dry sweeper and same fact is denied by the first party Placing reliance on Exh. 39, Ld. Advocate for the second party submitted that it is termination letter issued by the sub post office, Pune, wherein it is mentioned that second party was working as a dry sweeper. Unless she was in the employment how officer of the first party can terminate her services by issuing such termination order. At the same time, Ld. Advocate for the second party drawn my attention on the written statement of the first party and submitted that in amended written statement at Exh. 59 at Para No. 14, it is admitted that second party was engaged as a dry sweeper.

So also, all three witnesses of the first party in their affidavits in lieu of examination in chief has stated on oath that second party was working as a dry sweeper with the post office. So what else is required to be proved that second party was working as a dry sweeper as contended in the statement of claim.

25. Ld. Advocate for the second party vehemently argued that to prove that second party had worked continuously for the period from 6-4-95 to 6-4-96 though payment vouchers were called from the first party same were not produced by the first party as they were destroyed by the first party. It is submitted that first party was paying to the second party on vouchers. If that would have been produced second party would have been proved the fact that second party has served continuously for more than 240 days in a year and cannot be terminated unless procedure is followed. The vouchers were in custody of the first party, but first party intentionally had not filed those documents. Hence, adverse inference can safely be drawn against the first party. Still fact is that since 1993 second party was working with the first party as a dry sweeper and her services are terminated by issuing letter at Exh. 39. Due to non compliance of provisions of law, termination of services of the second party is illegal and she is entitled to reinstatement with continuity of service and full back wages.

26. On the other hand, Ld. Advocate for the first party relying on oral evidence of the witnesses of the first party submitted that second party was working with the first party as a dry sweeper, but as contingency staff who was carrying out uncertain nature of work for which no post was in exist in the department. Here allowances were paid by hour and daily rated basis. Second party was paid from the contingency expenditure of the department. Therefore, second party was not an employee of the first party as alleged.

27. It is further submitted that second party was not provided with the leave benefits, weekly off and other benefits. Therefore, question of maintaining her record did not arise. She was paid by the voucher. As there was no rule, first party has not preserved these vouchers and destroyed the same, therefore could not produced the said vouchers. Placing reliance on circulars filed along with amended written statement, it is submitted that the policy regarding engagement of casual workers in the Central Government offices has been reviewed by the Government keeping in view the judgment of the Hon'ble Supreme Court delivered on 17-1-86 in the Writ Petition filed by Shri Surender Singh & Ors. Vs. Union of India and it has been decided to lay down the guidelines in the matter of recruitment of casual workers on daily wages basis and as per those guidelines casual workers are to be considered in case of filling vacancies. As the services of the second party were hired on hourly basis therefore, question of her payment and termination did not arise.

28. Before discussing reasons in details, I would like to mention that undisputedly, second party was

working as a dry sweeper. As stated earlier, entire burden is upon the second party to prove the fact that she was in regular employment of the first party. Surprisingly, there is no evidence on record except oral evidence and termination letter at Exh. 39. In oral evidence second party has just stated on oath that she was in the employment of the first party as a dry sweeper, but in her cross examination, she has admitted that she was called to work in place of temporary or permanent sweeper when the said employee was on leave. She without leaving any ambiguity admitted in her cross examination that her attendance was not recorded in the muster roll in the post office. These admissions are sufficient to incline me to say that she was not appointed on regular post of sweeper and her name was not in the muster roll. She herself in her affidavit in lieu of examination in chief has admitted that she was paid on vouchers by the first party means she was paid on prescribed form ACG No. 17 which is meant for contingent payment. This fact makes it clear that she was working in the post office either as a casual worker or in contingency. Though burden is upon the second party to establish the relationship, she has not explained the mode of her appointment on that post. She has not explained as to when she has applied for the post or she was appointed through employment exchange on regular post. All witnesses of the first party in their examination in chief has stated on oath that leave benefits, weekly off and other benefits of regular employee were not provided to the second party and this evidence is not seriously challenged by the second party in their cross examination. According to me, if she had worked with the post office as a regular employee, she would have given benefits of regular employee, such as leave benefits, P.F. benefits and gratuity benefits. Surprisingly, neither second party has stated on oath about non-providing these facilities nor documentary evidence in support of this has filed. It is expected that she should have at least with pay slip or with other documentary evidence to establish the fact that she was in regular employment of the first party. Other points touches to mind that when she was working for 13 years why she has not agitated for the benefits of regular employee. Circumstances inclined me to infer that second party was not working on regular post or sanctioned post, but she was working either as a casual labourer or in contingency as a outsider worker as contended by the first party. Therefore, question of maintaining her muster roll or other documents would have not arise. Hence, there is no documentary evidence to prove the fact that second party was in regular employment of the first party.

29. Though Ld. Advocate for second party has pressed on non-production of payment vouchers to establish the fact that she worked continuously, first party has rightly explained circumstances except payment vouchers other service record of the second party is not maintained as she was working as a contingency staff and maintained vouchers are destroyed being old. So according to

me these submissions of Ld. Advocate for the second party are not helpful to infer that second party was working continuously as a regular employee of the first party.

30. Ld. Advocate for the second party has placed his reliance on termination letter at Exh. 39. On perusal of this termination letter, it appears that termination letter is issued by the Sub-Post Master, Chinchawad, Post Office in his capacity to terminate services of the casual workers or workers of contingency staff if not found satisfactory. This is supported with the pleading of the first party as it is specifically pleaded by the first party in its written statement at the end of para no.12 that work of the second party was not satisfactory, therefore, she was not allowed to work. Though this fact is specifically mentioned it is not challenged by the second party.

31. On perusal of entire evidence on record in the light of submissions of both the Ld. Advocates, it appears that second party was working with the first party as a dry sweeper either as a casual worker or in contingency staff and she was received on vouchers. In the negative she was not working on sanctioned or regular post of dry sweeper, therefore, there are no provisions under the rules to issue notice, to pay notice pay or to pay retrenchment compensation or to pay legal dues to outsider worker as per the principles laid down in *Surender Singh & Ors. vs. Union of India*. The same guidelines are laid down in the matter of recruitment of casual and daily rated basis and as per the rules framed, services of casual worker or contingency worker will be considered for filling vacancies on regular posts as per rules framed. Therefore, second party is entitled to claim services in case of filling vacancies on regular post as she worked for more than 13 years, first party be considered the claim of the second party in case of filling of vacancy of dry sweeper in the future, but she is not entitled to claim relief of reinstatement as of right. In the result, I answer both the issues in the negative and consequently pass following Order:

ORDER

1. Reference is hereby rejected.
2. No order as to costs.

Place : Pune

Date : 11-11-2008

V.M. KAKADE, Presiding Officer

नई दिल्ली, 24 फरवरी, 2009

का.आ. 727-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ हैदराबाद के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 17/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-2-2009 को प्राप्त हुआ था।

[सं. एल-12012/79/2006-आईआर(बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 24th February, 2009

S.O. 727.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.17/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the management of State Bank of Hyderabad, and their workmen, received by the Central Government on 24-2-2009.

[No. L-12012/79/2006-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, HYDERABAD

Present: SHRI VED PRAKASH GAUR, Presiding Officer

Dated the 4th day of February, 2009

Industrial Dispute No. 17/2007

BETWEEN:

Sri Mohd. Lateefuddin,
Andhra Pradesh Industrial Employees Union,
House of Labour, King Kothi Road,
Hyderabad - 500 029Petitioner

AND

The Deputy General Manager (PER & HRD),
State Bank of Hyderabad, Head Office,
Gunfoundry, Hyderabad-500001Respondent

APPEARANCES:

For the Petitioner: NIL
For the Respondent: NIL

AWARD

The Government of India, Ministry of Labour by its order No. L-12012/79/2006-IR (B-I) dated 6-2-2007 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of State Bank of Hyderabad and their workman. The reference is,

SCHEDULE

“Whether the action of the Management of State Bank of Hyderabad, in not regularizing the services of Sri B. Ashok Kumar, Casual Labour, working since 1994 is legal and justified? If not, what relief the workman is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 17/2007 and notices issued to the parties.

2. On 4-2-2009 when the case called for filing of claim statement of the Petitioner, Petitioner has not submitted claim statement even after more than one and half year of receipt of

this reference, as such, this case is closed for want of claim statement. accordingly a 'Nil Award' is passed Transmit.

Dictated to Smt P. Phani Gowri, Personal Assistant, transcribed by her corrected and produced by me on this the 4th day of February, 2009.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner: NIL

Witnesses examined for the Respondents: NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 24 फरवरी, 2009

का.आ. 728.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दि केथोलिक सियरन बैंक लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण इरनाकुलम के पंचाट (संदर्भ संख्या 324/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-2-2009 को प्राप्त हुआ था।

[सं. एल-12012/343/2001-आईआर(बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 24th February, 2009

S.O. 728.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.324/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Ernakulam as shown in the Annexure in the Industrial Dispute between the management of The Catholic Syrian Bank Ltd., and their workmen, received by the Central Government on 24-2-2009.

[No. L-12012/343/2001-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

PRESENT: SHRI P. L. NORBERT, B.A., LL.B., Presiding Officer
(Thursday the 12th day of February, 2009/23rd Magha 1930)

I.D. 324/2006

(I.D.20/2001 of Labour Court, Ernakulam)

Union :

The General Secretary,
The Catholic Syrian Bank Staff Association,
AIBEA House, Kaliath Royale Square,
Palace Road, P.B. No. 506, Thrissur -20.

By Adv. C. Anil Kumar.

Management :

The Chairman,
The Catholic Syrian Bank Limited,
Head Office, Thrissur -68 020.

By Adv. M/s. B.S. Krishnan Associates.

This case coming up for hearing on 10-2-2009, this Tribunal-cum-Labour Court on 12-2-2009 passed the following :

AWARD

This is a reference made under Section 10(1)(d) of Industrial Disputes Act. The reference is :

“Whether the action of the management of Catholic Syrian Bank in reducing the medical reimbursement and denying the duty leave of 129 days to Shri N.J. John, Clerk-cum-Cashier is justified? If not, what relief the workman is entitled?”

2. The facts in a nutshell are as follows:— Sri. N.J. John is a Clerk of Catholic Syrian Bank, Baroda branch. He was working there since 1998. According to the workman on 28-1-2000 he had been to State Bank of India, Sayajinganj, Baroda for delivering MICR Instruments. While returning he met with an accident fracturing his right wrist and left foot. He was hospitalised and was put in plaster. As per the advice of the Doctor he took rest till 6-6-2000. He applied for duty leave for 129 days and for medical reimbursement of the medical expenditure incurred in connection with the accident. Only a part of the medical expenses was sanctioned by the management. The application for duty leave was rejected. This action according to the workman is illegal. The union has taken up the cause of the workman.

3. According to the management this court has no jurisdiction to adjudicate the dispute as the cause of action has arisen in Gujarat. The employees of the Bank are allowed to use only hired vehicles for official purposes. They are not permitted to travel in their own vehicles. Management denies the alleged accident. Though the workman was directed to produce a copy of F.I.R. It was reported that no case was registered by the police. The worker failed to produce any record to show that he had met with an accident during the course of employment. Hence his leave application was rejected and he was asked to submit proper leave application. The eligible amount was sanctioned towards medical reimbursement. The worker had reported to the management about the accident only on 9-6-2000. He was paid autorickshaw charges of Rs.64 for attending the clearing house duty on 28-1-2008. There was no accident as claimed by the worker and he is not eligible for duty leave for 129 days.

4. In the light of the above contentions the points that arise for consideration are :—

1. Had the workman met with an accident during the course of employment ?

2. Is the workman entitled for reimbursement of the full medical expenditure claimed by him?
3. Is he entitled for special leave for 129 days?

The evidence consists of Ext. W1 document on the side of the union and Exts.M1 to M13 on the side of the management.

5. Point No.1:— It is an admitted fact that on 28-1-2000 the worker Sri. N. J. John had been to State Bank of India, Sayajinganj, Baroda for delivering MICR Instruments. He was travelling by his own scooter. According to him while he was returning he met with an accident and fractured his right wrist and left foot. He was hospitalised immediately and was put in plaster and was an inpatient till 30-1-2000. Thereafter he was taking rest till 5-6-2000. The management denies the accident, especially that it was during the course of employment. The reason why the management denies the accident is that no case was registered by the police and the worker had not intimated to the bank about the accident until very late on 9-6-2000. The worker was asked to produce copy of F.I.R. But he was unable to produce the same as no case was registered. However the management reimbursed a part of the medical expenses on the basis of the medical bills on the ground that even without an accident for treatment an employee is entitled to get reimbursement. Ext.W1 is the request of the worker for sanction of special leave with full pay for the period from 29-1-2000 to 5-6-2000 and for reimbursement of the full medical expenses. It is dated 9-6-2000. At the foot of the letter Deputy Manager of the Branch has endorsed that the accident had occurred while performing the duty and requested the Head Office to sanction special leave with full pay from 29-1-2000 to 5-6-2000 and full reimbursement of medical expenses. Ext.M-13 is sanction from for reimbursement of medical expenses prepared by the branch wherein the nature of the ailment is described as fracture of the wrist and leg. The name of the hospital where the worker was treated is also mentioned. The number of days of treatment as inpatient is shown as 2 days from 28-1-2000 to 30-1-2000. It is also mentioned that medical certificate was produced. The Branch Manager had recommended sanction of medical re-imburement. Thereafter the eligible amount is also calculated. That apart the worker had applied for leave for 129 days. The bank has no case that he was suffering from any other illness other than the fracture. The fracture was sustained on 28-1-2000 and he was hospitalized immediately. Along with Ext.W1 union has produced medical bills, cash memos, receipts, laboratory test report and medical certificate of Subhechha Clinic, Vadodara, Gujarat certifying that he was under treatment as inpatient from 28-1-2000 to 30-1-2000 for fracture of his right wrist and left foot and he was advised to take rest till 2-6-2000 and he would be fit to resume duty from 6-6-2000. In the light of this evidence and the very

endorsement of the Deputy Manager certifying that accident had happened while performing duty (Ext.W1) the management cannot be heard to say that the accident did not occur and even if there was an accident it was not during the course of employment.

6. Point No. 2:— The worker produced Ext.W1 and claimed medical reimbursement of Rs.3655. But the bank sanctioned only Rs.667. This was the amount that was calculated and recommended by the concerned branch as eligible medical reimbursable amount. The union has not been able to point out any illegality or impropriety in the calculation. They were not able to show which part of the medical expenses that the worker is yet to receive. In the absence of such evidence it has to be taken that the bank has properly calculated the amount reimbursable. Hence the worker is not entitled to get anything more under that count.

7. Point No. 3:— The worker had applied for special leave for 129 days. He was taking rest as advised by the doctor and due to the fracture. The period of absence from duty is not in dispute. But according to the management he is not eligible to get special leave, but only the leave at credit or extra ordinary leave. It is submitted by the learned counsel for the management that as per Ext. M-12 circular of the bank an employee has to travel in a hired vehicle for delivering cash or clearing instruments in another banking institution. Since the worker had used his own vehicle, violating the instructions of the bank, he cannot claim special leave. The argument is silly. The instruction in the circular is for the purpose of claiming T.A. It has nothing to do with the accident. Even if the employee is using his own vehicle or incurring more expenses for travel than eligible, he would get only the actual eligible T.A. for using a hired vehicle. The bank had paid him Rs.64 as auto charges for performing the duty of delivering instruments on 28-1-2000. Para 18 (iv) of the Bipartite settlement dated 31-10-1979 reads:

“(iv) In case of injuries sustained by a workman in the course of his duty he shall be fully reimbursed the medical cost and treatment and/or hospitalisation over and above his normal entitlement. He shall also be treated on special leave for the period of his absence required for treatment.”

As per the above provision the workman who had met with the accident in course of his employment is entitled for special leave for the period of his absence which was required for treatment, besides reimbursement of the medical expenses. I have found that the accident had happened during the course of his employment. Therefore it is only fair to sanction special leave for 129 days for the period 28-1-2000 to 5-6-2000.

In the result an award is passed finding that the action of the management in denying duty leave (special

leave) for 129 days to the employee Sri N. J. John is illegal and unjustified, but reduction in the amount of medical reimbursement is proper and justified. The management is directed to sanction the special leave within a month after the award becomes enforceable.

The award will come into force one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 12th day of February, 2009.

P. L. NORBERT, Presiding Officer

Appendix

Witness for the Union : Nil

Witness for the Management: Nil

Exhibit for the Workman

W1 - 9-6-2000 - Copy of leave application of the workman.

Exhibit for the Management

M1 - Copy of letter dated 14-7-2000 from the Chief Manager, Zonal Office, Mumbai of the Catholic Syrian Bank Ltd. to the Branch Manager, Catholic Syrian Bank Limited, Baroda, Zonal Office, Mumbai.

M2 - Copy of letter dated 28-7-2000 of the management.

M3 - Copy of letter dated 9-6-2000 of the workman to the management.

M4 - Letter dated 29-9-2000 of the Management.

M5 - Letter dated 2-11-2000 from the workman to the management.

M6 - Letter No. S/9435/2000 dated 16-11-2000 of the Management.

M7 - Copy of letter No. S/MR/8349/2000 of the Management.

M8 - Copy of letter dated 2-11-2000 from the workman to the Management.

M9 - Letter No. S/1920/2001 dated 15th February 2001 from the Management to the Workman.

M10 - Letter dated 22-2-2001 from the Workman to the Management.

M11 - Letter No. 419/2001 dated 8-3-2001 from the Management.

M12 - Circular No. BC/243/99/V/5/99 dated 13th August, 1999 from the Vigilance Department of the Management.

M13 - Document of sanctioning of Medical reimbursement.

नई दिल्ली, 24 फरवरी, 2009

का.आ. 729.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एल.आई.सी. ऑफ इंडिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 54/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-02-2009 को प्राप्त हुआ था।

[सं. एल-17012/05/2004-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 24th February, 2009

S.O. 729.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 54/2004) of Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the Industrial Dispute between the management of LIC of India, and their workmen received by the Central Government on 24-02-2009.

[No. L-17012/05/2004-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

Present: SHRI N. K. PUROHIT, Presiding Officer

I. D. No. 54/2004

Ref. No. 17012/5/2004-IR (B-I) dated 07-06-2004

BETWEEN

Shri Moolchand, S/o Shri Bhure Singh R/o Village—Nangla Shekhu, P.O. Kastala Shamsher Nagar Distt.—Meerut (U.P.)

AND

The Divisional Manager, LIC of India, Divisional Office, Jeevan Prakash, Prabhat Nagar
P.B. No. 69 Meerut (U.P.)

AWARD

11-02-2009

1. By order No. L-17012/5/2004-IR (B-I) dated 07-06-2004 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between Shri Moolchand, S/o Shri Bhure Singh, R/o Village—Nangla Shekhu, P.O. Kastala, Shamsher Nagar, Distt.—Meerut and the Divisional Manager, LIC of India, Divisional Office, Jeevan Prakash, Prabhat Nagar, P.B. No. 69, Meerut for adjudication.

2. The reference under adjudication is :

“प्रबंधन भारतीय जीवन बीमा निगम, मेरठ द्वारा कर्मकार श्री मूलचंद, पुत्र श्री भूरे सिंह, चपरासी को दिनांक 21-08-99 से नौकरी से निकाला जाना उचित एवं न्यायसंगत है? यदि नहीं तो कर्मकार किस अनुतोष का अधिकारी है?”

3. The admitted case of the parties is that the workman was appointed by the opposite party on the post of peon vide letter dated 17-1-1981 and his services were regularized w.e.f. 24-7-1981; also, he worked, since his appointment in the said capacity, upto 29-11-1998.

4. The workman has submitted that on 30-11-1998, all of sudden he fell ill and the doctor advised him to take rest upto 15-1-1999. Accordingly, he informed the management of his illness and requested for leave for period 30-11-98 to 15-1-99, along with medical certificate. The workman has further stated that since he could not recovered, therefore, at the advice of the doctor, he requested the management of LIC to extend his leave on medical ground, for time to time, vide his applications dated 16-1-1999, 1-3-99 & 1-5-99, annexed with medical certificate, for duration 16-1-99 to 28-2-99, 1-3-99 to 30-4-99 & 1-5-99 to 25-6-99 respectively.

5. The workman has stated that during his illness he received a letter from the management on 5-1-99 and he duly submitted its reply of the same on 13-1-99. He received show-cause notice dated 23-6-99 from the management of LIC, wherein he was charged to have been unauthorisedly absent and an explanation was called from him within 10 days. As per averments of the workman the said show-cause notice was received by him on 03-7-99 and he sent his reply on the same day. The workman has alleged that during period of his illness all the correspondence made by him regarding his request for sanction of leave on medical ground and reply of management's letter/show-cause notice, were sent by him through 'UPC' to the management and the same were duly received in the office of the management of LIC.

6. The workman has further submitted that he reported, on duty, with fitness certificate, on 26-6-99; but the management denied taking him on duty and informed him, orally, that his services have been terminated. Subsequently, he was served upon order dated 21-8-99, imposing punishment of removal from service, which was passed keeping in view the fact that the workman did not answer the show-cause notice dated 23-6-99, in time. The workman has alleged that he made an appeal against order dated 23-6-99, which was not forwarded to the Divisional Office for consideration, being time barred, therefore, he made a second appeal in the year 2001 in the Regional Office, which was rejected without application of mind on the plea of being belated. The workman has further alleged that the management of LIC has passed impugned order of removal from service by invoking its powers conferred upon it under LIC Staff Regulation No. 39 (4) (iii), though not applicable upon him as he has not abandoned his post and has been continuously requesting for sanction of leave with supportive documents. Thus, the workman has alleged that

the management of LIC has passed the order dated 21-8-99 of removal from service, without conducting any domestic inquiry and without affording any opportunity to the workman for defence in an arbitrary manner. The workman has alleged that impugned order dated 21-8-99 is contrary to Rules, illegal and disproportionate; and has prayed that the impugned order dated 21-8-99 be declared void and inoperative and he be awarded reinstatement with continuity in service apart from arrears of pay and other consequential benefits.

7. The management of LIC has filed its written statement disputing the claim of the workman. It is submitted that he ever requested for leave or has ever submitted any application or any medical certificate therefor either personally or by registered post or by any other mode. The management has further submitted that due to unauthorized absence of the workman, without prior intimation or sanction of leave, the related office of the LIC sent various letters dated 1-12-98, 15-12-98 and 5-1-99 to the workman, by registered post, but the workman neither bothered to answer them nor submitted any leave application. It has specifically been denied by the management that any reply of the show-cause notice has been received in the office of the LIC.

8. The management has pointed that the impugned order dated 21-8-99 has been passed as per provisions contained in the Regulation 39 (4) (iii) of the LIC Staff Regulation, 1960, for unauthorized absence of the workman (or continuously 90 days, without any written information or permission for the same, after complying with the due procedures provided in the said Regulation and giving ample opportunity to the worker for his defence. The management of LIC has specifically mentioned that the workman was issued show-cause notice and was given sufficient time to reply the same, but when no reply was received from the workman even after lapse of more time than the time provided in the show-cause notice, the Competent Authority had no option but to pass the impugned order dated 21-8-99 of removal of workman from services, which is in accordance with the Rules, legal and proportionate. As per averments of the LIC it is, not necessary to conduct any domestic inquiry or departmental inquiry before passing any order under said Regulation. It has been alleged by the opposite party that the copies of applications, medical certificate etc., submitted by the workman before Tribunal, were never sent to them and are manufactured with the object to sustain his claim before this Tribunal, thus, the opposite party has prayed that the impugned order dated 21-8-99, which was passed by the Competent Authority, be upheld, being clear, totally legal and in accordance with the Rules and the claim of the workman be rejected.

9. The parties have filed documentary evidence in support of their respective cases and examined their witnesses. The workman examined himself whereas the LIC examined Shri S.D. Nagar, Manager (P) in support of their averments. The parties cross-examined each other's witnesses.

10. It is pertinent to mention that after evidence of both the sides an application C-25 was moved by the workman alongwith copies of page No. 19, 21, 22, 23, 25, 29, 28, 40, 41 of inward letter register which was opposed

by the opposite side. On 10-1-06 affidavit of Sh. Bhopal Singh was filed by the management alleging that above documents are forged. In rebuttal, a counter affidavit was filed by the workman on 10-3-06. The management witness Sh. Bhopal Singh was cross-examined on 7-5-07 and the workman was cross-examined on 11-7-07 on their respective affidavits.

11. Heard arguments of learned representative of both the parties and perused the record.

12. Learned representative of the workman has contended that the services of the workman were terminated without conducting any domestic enquiry & without affording opportunity to the workman for defence therefore, impugned order is illegal and arbitrary. He has further contended that the workman had intimated the concern authority of his absence due to illness for time to time and also sent reply to the show cause notice despite this, the impugned order has been passed arbitrary and illegally on the ground that the workman had abandoned his services. In support of his contention he has placed reliance on following case law :

1. 1976(32) FLR P. 197 (SC) State Bank of India V. N. Sundra Money.

2. 1993 (67) FLR P. 111 (SC) DK Ya dav V. M/s M. A. Industries Ltd.

3. 1980 (40) FLR P.373 (SC) S.Gupta V. State Bank of Patiala.

4. 2000(86) FLR (SC) P. 721 A. B. I. Ltd., Durgapur V. Radha Gobinda Ghatak.

5. (2001) (89) FLR P. 550 (SC) Haryana Tourism Corpn. V. Presiding Officer, Labour Court, Gurgaon.

6. (2007)1 SCC (L&S) P.327 VC Banaras Hindu University & Other V. Shrikant.

7. (2004) (103) FLR P.102 SCC M/s Nicks India Tools V. Ram Surat & another.

13. Per contra, the representative of the management has urged that the workman neither replied to the show cause notice nor informed about his absence. The copies of application, medical certificates and under postal certificates produced by the workman have been fabricated for creating evidence to support his claim. He has further urged that entries regarding receipt of applications and reply of show cause notice shown in copies of the receipt register have been forged. The inward register, in which disputed entries have been said to be made, is being maintained for registered letters only. He has also urged that as per provision under Regulation 39 of LIC Staff Regulation, if an employee remain absent for 90 days without any intimation, it shall be deemed that the employee has abandoned his services and his services can be terminated without holding any enquiry.

14. I have given my thoughtful consideration on the arguments advanced by both the sides.

15. Sub Regulation (I) of Regulation of the LIC Staff Regulation 1960 enumerates penalties for which penalty may be imposed by the disciplinary authority & sub regulation (1) of the regulation envisages that no penalty can be imposed on delinquent without holding enquiry and affording

reasonable opportunity of defending against charges. As per sub-regulation (4) of the Regulation 39, notwithstanding anything contained in sub-regulations (1) and (2), whereas employee has abandoned his post, the disciplinary authority may consider the circumstances of the case and pass such order as it deems fit and as per explanation under above regulation an employee shall be deemed to have abandoned his post, if he absent himself from duty without leave or over-stays his leave for a continuous period of ninety days without any information thereof in writing.

16. In present case, it is not disputed that the workman remained absent from duty without any leave from 30-11-99 to 25-6-99 for a continuous period of more than 90 days.

17. The question thus arises for consideration is whether the workman absented himself for above period without any intimation thereof in writing.

18. In this regard the workman has stated in his statement on oath that applications dt. 30-11-98 (C-1), 16-1-99(C-5), 1-3-99(C-9) & 1-5-99 (C-12) alongwith medical certificate (C-1) for period 30-11-98 to 15-1-99, (C-5) for period 16-1-99 to 28-2-99 and (C-8) for period 1-3-99 to 30-4-99 respectively were sent to the opposite party. He has also stated that reply of show cause notice dt. 5-1-99 was given by him vide his reply dt. 13-1-99 (C4) & reply (C-23) of the show cause notice dt. 26-6-99 was given on 3-7-99. He has stated that above applications and reply were sent through under postal certificate. He has produced copies of above documents in support of his contentions. He has also alleged in his statement that he received impugned order on 21-8-99 whereas he had already reported on duty with fitness certificate on 26-6-99, but the management denied taking him on duty and informed him orally about termination of his services. He has also alleged that prior to termination of his services, no enquiry was conducted and his service was terminated on 21-8-99 therefore, impugned order has been passed without considering his applications and reply to show cause notice. He had never abandoned services.

19. In rebuttal, the management witness Sh. S.D. Nagar has stated that the workman remained absent for duty without leave & without any intimation since 30-11-98 and he did not send any application, medical certificate for his absence. He has further stated that the letters dt. 26-11-98, 1-12-98, 15-12-98 and 5-1-99 and show cause notice were sent by registered post at his postal address, but he did not bother to reply them. He has also stated that letters and reply of the workman C 1, 2, 3, 4, 5, 6, 7, 19, 21 and 23 were never received in the office of the opposite party.

20. The workman has admitted in his statement on oath that show cause notice was given to him. Moreover, Sh. S. D. Nagar has deposed that registered letters dt. 28-11-98, 1-12-98, 15-12-98, 5-1-99 and show-cause notice were sent to the workman and he has not been cross-examined on his above statement. There is no reason to disbelieve his testimony. Thus, from the oral evidence of Sh. S. D. Nagar and letters as above and show cause notice sent to the workman, it is evident that opportunity

to explain the reason for his absence was given to him there is no violation of principle of natural justice.

In case laws referred by the learned representative of the workman facts are different. In 1976 (32) FLR P. 197 (SCC) the matter under consideration was pertaining to retrenchment compensation. Similarly in 1980 (40) (SCC) P. 373 matter under consideration was whether discharge for failure to pass test which would have confirmed her in service is retrenchment. Therefore both the case laws are not relevant to the question under consideration in the present case. In 2004 (103) FLR 102 admittedly respondent was in the services of the appellant management for a certain period, thus, Hon'ble Apex Court has observed that burden of proving that he has voluntarily left the services then falls in appellant management. In 2007 (1) SCC P. 327 Hon'ble Apex Court has observed that an action under provision as to deemed abandonment of service must be fair and reasonable so as to satisfy the requirements of Article 14 of the Constitution. In above case Vice Chancellor of the university declared the service of respondent lecturer were deemed to have been abandoned as he went without sanction of leave and there were no provision in the ordinance for deemed abandoned thus, Hon'ble Apex Court held that such legal fiction can not be created by an administrative order. In 2000 (86) FLR 721 there was provision in the standing order that the unauthorised absence of the employee for more than eight days will be deemed voluntary abandonment of service and the employee over-stayed after his sanctioned leave for more than eight days. In such circumstances Hon'ble Calcutta High Court held that he must have been given an opportunity to explain reasons for his absence.

In instant case, as stated earlier, ample opportunities to explain the reason for his absence have been given to the workman and despite this when he did not turn up, the impugned order has been passed under Regulation 39 of the LIC Staff Regulation 1960. This impugned order is not in violation of principle of natural justice.

21. Now it is to be considered whether the workman has sent the leave applications, medical certificates & reply of show cause notice as stated by him in his claim & statement on oath & whether the same were received by the management in due course. In this respect the workman has stated that he had sent applications, medical certificate & reply of show-cause notice. He has produced the copies of under postal certificates & copies of the inward register maintained by the management in support of his statement.

22. So far as UPCs are concerned, the workman has not produced original UPCs. Sh. S. D. Nagar management witness has stated on oath the such reply of show cause notice & applications & medical certificates were never received by the department. He has alleged that above copies of UPCs are forged. He has not been cross-examined on above material point. Thus, on the basis of photocopies of so called UPCs it can not be inferred that any application, medical certificate & reply of show cause notice were sent & received by the management.

23. Now, next question for consideration is whether, copies of the inward letter register produced by the workman support the statement of the workman. The workman has

admitted in his cross-examination on the additional affidavit dtd. 11-7-07, that the inward register is for Registered letters. He has stated that copies of the said register were given to him by Sh. Bhopal Singh, Branch Manager at his residence whereas Sh. Bhopal Singh has denied this fact. The workman has admitted that in all the copies of pages of inward register produced by him, particular of his letters find place in the bottom of the page. Sh. Bhopal Singh, Administrative Officer of the LIC has deposed in his affidavit dtd. 7-1-06 that the inward letter register (Registered) is maintained for registered letters only and not for letter sent through UPC. He has also alleged that all the entries in the register are in the bottom & in different handwriting. In the light of above I have perused the copies of the inward register. It can not be a matter of chance that all the entries regarding receipt of applications of the workman on different dates find place only in bottom of the pages of the register. Moreover, all entries seem to be in different handwriting. Furthermore except disputed entries showing receipt of letters of the workman, other entries are pertaining to registered dak received in the office. The workman did not made any request to call the original register despite the allegation of the management that workman has forged this disputed entries after any how obtaining photo copies of the register. All the copies of inward register bears stamp of notary Raja Babu, Meerut. It shows that the either register of the LIC was taken to the notary for attestation or notary has put his stamp on the copies without comparing it from the original. There is no stamp of attestation on above copies. The management witness has refuted the statement of the workman that above copies were given by him. In view of the above facts and circumstances, disputed entries seems to have been made to create evidence and the same nor reliable.

24. In a recent decision (2008) 2 SCC (L&S) 719 Hon'ble Apex Court has observed that onus is on the employee to prove that he had actually sent leave applications but in the present case, the workman has failed to prove that he had intimated about his absence to the management in writing. In such circumstances as per provision of Section. 39 (4) since the workman was absent for more than 90 days no enquiry was required to be conducted before passing the impugned order. The impugned order has been passed after following due procedure and affording opportunity of hearing to the workman. Therefore, it is neither illegal nor have been passed arbitrarily.

25. The impugned order has also been challenged on the ground of quantum of punishment. It is urged that punishment is disproportionate in view of the alleged misconduct of absence for more than 90 days without any information and sanction leave.

26. Under Regulation 39 if an employee remains absent from his duty without any intimation the disciplinary authority may pass any order as it deem fit. Admittedly, the workman was in service as peon for about 18 years, since 24-7-81. Having regards to the entries facts and circumstances of the case and period of his absence, the penalty of termination of service of the workman seems to be disproportionate and harsh. In (2008) 2 SCC (L&S) 719 State of Punjab v. Dr. P. L. Singla while considering the matter of unauthorized absence, Hon'ble Apex

court has observed that quantum of punishment in such cases depends on nature of service, position held by the employee, period of absence and reason for absence. In above case withholding of five increments with cumulative effect, on account of unauthorized absence of five years was not considered as disproportionate. Thus in view of above, in present case the interest of justice would be subserved by imposing penalty of withholding three grade increments with cumulative effect and reinstating the workman with 25% back wages.

27. Accordingly, the impugned order dtd. 21-8-99 is being modify to this extent that instead of penalty of termination of service of the workman, the penalty of withholding of three grade increments with cumulative effects is imposed. Consequently the workman be reinstated with 25% back wages within four weeks from the date of publication of the award.

28. The reference under adjudication be answered accordingly.

29. Award as above.

Lucknow N. K. PUROHIT, Presiding Officer

नई दिल्ली, 24 फरवरी, 2009

का.आ. 730.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ़ त्रावणकोर प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, इरनाकुलम के पंचाट (संदर्भ संख्या 20/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-02-2009 को प्राप्त हुआ था।

[सं. एल-12012/17/2007-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 24th February, 2009

S.O. 730—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 20/2007) of Central Government Industrial Tribunal-cum-Labour Court, Ernakulam, as shown in the Annexure, in the Industrial Dispute between the management of State Bank of Travancore, and their workmen received by the Central Government on 24-02-2009.

[No. L-12012/17/2007-IR (B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

Present : Shri P.L. Norbert, B.A. L.L.B., Presiding Officer
(Monday the 9th day of February, 2009/20th
Magha 1930)

I. D. 20 of 2007

Workman : Shri V. Natarajan,
S/o Shri. Velayudhan Pillai,
Deepa Bhavan, Khuzivila Veedu,
Nannattukavu, Pothencode, Trivandrum.
By Adv. Sri. P.S. Ramesh Kumar.

Management : The Deputy General Manager,
State Bank of Travancore,
Zonal Office, Trivandrum-695 001.

By Adv. P. Ramakrishnan.

The case coming up for final hearing on 09-02-2009, this Tribunal on the same day passed the following.

AWARD

This is a reference under Section 10(1)(d) of Industrial Disputes Act, 1947 against the action of the management in discharging the worker from service.

2. Though both parties filed their pleadings when the matter came up for evidence the worker and counsel remained absent. The management witness was examined as MW1 and documents Exts. M1 to M5 were marked. Thereafter the case was adjourned to this day for cross examination of MW1 and for further evidence. Today also the worker and the counsel are absent. The management is present. An application is filed on behalf of worker through another counsel for adjournment. The petition stands dismissed. Since the worker does not show interest in prosecuting the claim, there is no meaning in keeping the reference pending indefinitely. In the light of the evidence adduced by the management an award is passed finding that the action of the management, in discharging the worker Shri. V. Natarajan from service of State Bank of Travancore, is legal and justified and he is not entitled for any relief.

The award will come into force one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 9th day of February, 2009.

P. L. NORBERT, Presiding Officer

Appendix

Witness for Workman	: Nil
Witnesses for Management	:
MW 1 : 29-01-2009	: Sasidharan. N.
Exhibit for the Workman	: Nil.
Exhibits for the Management	:
M1	: Letter dated 26-05-2004 sent by N. Sasidharan, Manager (P & SB), SBT, Pattom Branch, Trivandrum to the workman.
M 1(a)	: Acknowledgement Card.
M2	: Letter dated 04-06-2004 sent by N. Sasidharan, Manager (P & SB), SBT, Pattom Branch, Trivandrum to the workman.
M2(a)	: Acknowledgement card
M3	: Letter dated 16-06-2004 sent by N. Sasidharan, Manager (P & SB), SBT, Pattom Branch, Trivandrum to the workman.
M3(a)	: Acknowledgement Card.
M4	: Enquiry File (Original).
M5	: Letter dated 28-06-2004 sent by N. Sasidharan, Enquiry Officer, Manager (P & SB), SBT, Pattom Branch, Trivandrum to the workman.

नई दिल्ली, 26 फरवरी, 2009

का.आ. 731.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एस. ई. सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (एल. सी. संख्या 75/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-02-2009 को प्राप्त हुआ था।

[सं. एल-22012/103/98-आईआर(सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 26th February, 2009

S.O. 731.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 75/1999) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SECL and their workmen, which was received by the Central Government on 26-02-2009.

[No. L-22012/103/98-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR

NO. CGIT/LC/R/75/99

Presiding Officer : Shri C. M. SINGH

The Secretary,

M. P. Koyla Mazdoor Sabha (HMS),

Katkona Colliery, P.O. Patna

Distt. Surguja (MP)

.... Workman/Union

Versus

The Sub Area Manager,

Katkona Colliery, SECL,

PO: Patna, Distt. Surguja (MP)

.....Management

AWARD

Passed on this 9th day of February, 2009

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/103/98-IR (CM-II) dated 27-1-1998 has referred the following dispute for adjudication by this tribunal :

“Whether the action of the management of Katkona Colliery of SECL (Surguja Distt.) in not regularising Sh. Hari Yadav as clerk Grade-III is legal and justified? If not, to what relief the workman is entitled to?”

2. Vide order dated 22-9-05 and 7-7-08 passed on the ordersheet of this reference, the reference proceeded ex-parte against the workman /Union. No. statement of claim has been filed on behalf of workman/Union.

3. The case of the management in brief is as follows.

That the workman was initially appointed to the post of General Mazdoor Category-I w.e.f. 14-9-75, he was promoted to the post of Electrical Helper w.e.f. 1-10-78 and he was again promoted to the post of Electrical Fitter Cat-IV w.e.f. 1-4-80 The workman was given benefit of link-up gradation (SLU) to the post of Electrical Fitter Cat-V w.e.f. 1-7-90 The workman was again given benefit of link-up gradation (SLU) giving upgradation to the post of Fitter Cat-VI w.e.f. 1-1-06. The management never authorised the workman to work as Class-III. He was never authorised to work as clerk against the sanctioned vacancy. There is no scope for regularising the workman. The regularization to the post of clerk will be illegal and contrary to the cadre scheme. It has been pleaded by the management that the case of the workman has no merit.

4. The management in order to prove their case examined their witness Shri P. D. Bandi then posted as Personal Manager, SECL, Baikunthpur Area.

5. I have heard Shri A.K. Shashi, Advocate for the management. I have very carefully gone through the evidence on record.

6. The case of the management is fully established and proved from the uncontroverted and unchallenged affidavit of management witness Shri P. D. Bandi. Therefore the reference deserves to be decided in favour of the management and against workman/Union without any orders as to costs.

7. In view of the above, the reference is answered in favour of the management and against the workman Shri Hari Yadav without any orders as to costs holding that the action of the management of Katkona Colliery of SECL (Surguja Distt) in not regularising Sh. Hari Yadav as clerk Grade-III is legal and justified and consequently the workman/Union is not entitled to any relief.

8. Let the copies of the award be sent to the Government of India Ministry of Labour & Employment as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 27 फरवरी, 2009

का.आ. 732.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. कैप्टेन्मेन्ट बोर्ड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय न. 2, मुम्बई के पंचाट (संदर्भ संख्या सीजीआईटी-2/3 ऑफ 2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-02-2009 को प्राप्त हुआ था।

[सं. एल-13011/4/2001-आईआर(डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 27th February, 2009

S.O. 732.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award (Ref. No. CGIT-2/3 of 2002) of the Central Government Industrial Tribunal-cum-Labour Court No. II Mumbai as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Cantonment Board and their workman, which was received by the Central Government on 27-02-2009.

[No. L-13011/4/2001-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 2 MUMBAI

PRESENT : A. A. LAD, Presiding Officer

Ref. No. -CGIT-2/3 of 2002

Employers in relation to the Management of Cantonment
Executive Officer Cantonment Board, Pune

The Cantonment Executive Officer,
Cantonment Board, Golibar Maidan,
Opp. Cantonment General Hospital,
Shankar Seth Road, Pune - 411001.

AND

There Workmen

The General Secretary,
Pune Cantonment Karmachari Sangh,
Store Yard, Jan Monammad Street,
Babajan Chowk, Pune- 411001.

APPEARANCES

For the Employer : Mr. P. G. Hartalkar,
Advocate

For the Workmen : Mr. P. V. Sathaye
Advocate.

Mumbai, dated 27th January, 2009.

AWARD

The Government of India, Ministry of Labour by its Order No. L-13011/4/2001-IR(DU) dated 20-11-2001 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication :

"Whether the demand of the Pune Cantt. Karmachari Sangh, Pune that Sh. Harishchandra Abdul Tamboli son of Smt. Laxmi Abdul Tamboli being the next kin of Smt. Laxmi Abdul Tamboli and ex-employee of the Cantonment Board, Pune retired/died be given preference in providing employment under clause 7 of the settlement dated 1-10-65 is legal and justified? If yes, then to what relief the concerned person is entitled to and from which date?"

2. To justify the claim in the reference, second party filed claim statement at Ex-12-A making out case that, settlement took place in 1965. As per said settlement, one of the heirs of the workman can be accommodated in the employment of first party on compassionate ground. As per said settlement Harishchandra Abdul Tamboli S/o Laxmi A. Tamboli is entitled to get employment with first party. Smt. Laxmi Abdul Tamboli was working as Safaiwala with first party and she was discharged from service on 26-04-1989 as declared medically unfit. Accordingly heir of Laxmi i.e. her son Harishchandra submitted application on 24-01-1996 to first party and requested to take him in the employment in place of his mother. However he was not considered. So dispute was raised by union by approaching ALC(C) which ended in failure.

3. It is case of the union that, Harishchandra Tamboli son of Laxmi A. Tamboli ought to have called for interview and ought to have verified his credentials for but he was not considered. So it is prayed that, he be appointed as a Safaiwala with immediate effect.

4. This is disputed by first party by filing reply at Ex- 17-B stating that, General Secretary of union has no locus-standi to file claim statement. Said union is not party in the reference. This Court has no jurisdiction to entertain the claim. It is further stated that, settlement took place as there was no statutory provisions about the recruitment of employees and service conditions with first party. It is stated that mother of Harishchandra i.e. Laxmi A. Tamboli was declared medically unfit w.e.f. 26-04-1989 and her name was struck off from the muster roll of establishment of first party. During that time she was aged 57 years and 9 months. Since Laxmi Tamboli retired on medical ground, her son is not entitled to appointment on compassionate ground. Circular dated 09-10-1998 indicates specific rules for recruitment and benefits to workers. As per said circular, son of Laxmi A. Tamboli is not entitled to get employment with first party. So it is prayed that, prayer prayed by union be rejected.

5. Second party filed rejoinder at Ex-36 taking the same stand taken in the claim statement.

6. In view of above pleadings issues were framed at Ex-51 which are answered as follows:

Issues	Findings
(i) Whether Harishchandra Abdul Tamboli son of Mrs. Laxmi Abdul Tamboli being the next kin an ex-employee of Cantonment Board can claim employment under Clause 7 of Settlement dated 1-10-1965 with first party?	No
(ii) What order?	As per order below.

REASONS**Issue No. 1**

7. To justify the demand, second party did not lead any evidence. Against that, first party has filed affidavit of one Asha Subash Baglane Ex-70 making out case that, son of Laxmi Tamboli is not entitled for employment with first party. Though matter was kept for cross-examination of this witness, nobody appeared for second party to take the cross-examination of first party witness. Averments made by first party in the affidavit remained unchallenged. Besides no evidence is lead by claimant to justify the claim. No. any word is uttered by second party by stepping into witness box. So I conclude that, second party failed to establish that, Harishchandra A. Tamboli son of Laxmi Abdul Tamboli is entitled for employment with first party. So I answer this issue in the negative and passes following order:

ORDER

Reference is rejected with no order as to costs.

Date: 27-01-2009

A. A. LAD, Presiding Officer

नई दिल्ली, 5 मार्च, 2009

का.आ. 733.—कर्मचारी राज्य बीमा अधिनियम, 1948(1948 का 34) की धारा-1 की उप धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा 16 मार्च, 2009 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय -4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय -5 और 6 [धारा-76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध तमिलनाडु राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:—

केन्द्र

- | | |
|---------------------|---------------------|
| कन्याकुमारी जिला के | 1. कन्याकुमारी टाउन |
| अगतीस्वरम तालुक | 2. अगतीस्वरम |
| कन्याकुमारी टाउन | 3. कोट्टारम |
| | 4. अषगप्पुरम |
| | 5. तामरैकुलम |

आदि के अन्तर्गत आने वाले राजस्व गाँव

[सं. एस-38013/07/2009-एसएस I]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 5th March, 2009

S.O. 733.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 16th March, 2009 as the date on which the provisions of Chapter -IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except sub-section (1) of Sections 76 and Sections 77, 78, 79 and 81 which have already been brought

into force] of the said Act shall come into force in the following areas in the State of Tamil Nadu namely:—

CENTRE**AREAS COMPRISING THE REVENUE VILLAGES OF**

- | | |
|----------------------|---------------------|
| Kanyakumari Town | 1. Kanyakumari Town |
| Agatheeswaram Taluk | 2. Agatheeswaram |
| Kanyakumari District | 3. Kottaram |
| | 4. Azhagappapuram |
| | 5. Thamaraiikulam |

[No. S-38013/07/2009-S.S.I]

S.D. XAVIER, Under Secy.

नई दिल्ली, 6 मार्च, 2009

का.आ. 734.—कर्मचारी राज्य बीमा अधिनियम, 1948(1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 16 मार्च, 2009 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय -4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय -5 और 6 [धारा-76 की उप धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध जम्मू एवं काश्मीर राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:—

सांबा नगर परिषद् और सिडको(SIDCO) औद्योगिक कॉम्प्लेक्स के अंतर्गत आने वाले सभी क्षेत्र।

[सं. एस-38013/11/2009-एस.एस. I]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 6th March, 2009

S.O. 734.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 16th March, 2009 as the date on which the provisions of Chapter -IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Jammu & Kashmir namely:—

1. All the areas falling within the Municipal Limit of the Municipal Council, Samba District, Samba (Jammu & Kashmir).
2. All the areas falling within the limit of the SIDCO Industrial Complex, Samba District, Samba (Jammu & Kashmir).

[No. S-38013/11/2009-S.S. I]

S.D. XAVIER, Under Secy.

नई दिल्ली, 6 मार्च, 2009

New Delhi, the 6th March, 2009

का.आ. 735.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1- की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 16 मार्च, 2009 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय -4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय -5 और 6 [धारा-76 की उप धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध जम्मू एवं काश्मीर राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:—

कटड़ा नगर (जिला रियासी) में कटड़ा नगर परिषद् के अंतर्गत आने वाले सभी क्षेत्र ।

[सं. एस-38013/12/2009-एस.एस. I]

एस. डी. जेवियर, अवर सचिव

S.O. 735.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 16th March, 2009 as the date on which the provisions of Chapter -IV [except Sections 44 and 45 which have already been brought into force] and Chapter-V and VI [except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Jammu & Kashmir namely:—

1. All the areas falling within the Municipal limit of the Municipal Council, Katra, District, Reasi (Jammu & Kashmir).

[No. S-38013/12/2009-S.S. I]

S.D. XAVIER, Under Secy.